

S. HRG. 113-319

**NOMINATIONS OF THE 113TH
CONGRESS—FIRST SESSION**

HEARINGS

BEFORE THE

**COMMITTEE ON FOREIGN RELATIONS
UNITED STATES SENATE**

ONE HUNDRED THIRTEENTH CONGRESS

FIRST SESSION

—————
MAY 7 THROUGH DECEMBER 17, 2013
—————

Printed for the use of the Committee on Foreign Relations



Available via the World Wide Web: <http://www.gpo.gov/fdsys/>

**NOMINATIONS OF THE 113TH
CONGRESS—FIRST SESSION**

HEARINGS

BEFORE THE

**COMMITTEE ON FOREIGN RELATIONS
UNITED STATES SENATE**

ONE HUNDRED THIRTEENTH CONGRESS

FIRST SESSION

—————
MAY 7 THROUGH DECEMBER 17, 2013
—————

Printed for the use of the Committee on Foreign Relations



Available via the World Wide Web: <http://www.gpo.gov/fdsys/>

U.S. GOVERNMENT PRINTING OFFICE

88-305 PDF

WASHINGTON : 2014

For sale by the Superintendent of Documents, U.S. Government Printing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512-1800; DC area (202) 512-1800
Fax: (202) 512-2104 Mail: Stop IDCC, Washington, DC 20402-0001

COMMITTEE ON FOREIGN RELATIONS
113TH CONGRESS—FIRST SESSION

ROBERT MENENDEZ, *New Jersey, Chairman*

BARBARA BOXER, California	BOB CORKER, Tennessee
BENJAMIN L. CARDIN, Maryland	JAMES E. RISCH, Idaho
ROBERT P. CASEY, JR., Pennsylvania ¹	MARCO RUBIO, Florida
JEANNE SHAHEEN, New Hampshire	RON JOHNSON, Wisconsin
CHRISTOPHER A. COONS, Delaware	JEFF FLAKE, Arizona
RICHARD J. DURBIN, Illinois	JOHN McCAIN, Arizona
TOM UDALL, New Mexico	JOHN BARRASSO, Wyoming
CHRISTOPHER MURPHY, Connecticut	RAND PAUL, Kentucky
TIM KAINE, Virginia	
EDWARD J. MARKEY, Massachusetts ²	

DANIEL E. O'BRIEN, *Democratic Staff Director*
LESTER E. MUNSON III, *Republican Staff Director*

¹Senator Casey served on the committee until July 16, 2013.

²Senator Markey joined the committee on July 16, 2013.

CONTENTS

*[Any additional material relating to these nominees may be found
at the end of the applicable day's hearing.]*

	Page
Thursday, January 24, 2013	
The committee's hearing on the nomination of John F. Kerry to be Secretary of State was printed as a separate document. (S. Hrg. 113-163)	
<hr/>	
Tuesday, May 7, 2013	1
Hon. Deborah K. Jones, of New Mexico, to be Ambassador to Libya	5
Hon. James Knight, to be Ambassador to the Republic of Chad	10
<hr/>	
Wednesday, June 19, 2013	31
Geoffrey R. Pyatt, of California, to be Ambassador to Ukraine	33
Tulinabo Salama Mushingi, of Virginia, to be Ambassador to Burkina Faso	37
<hr/>	
Thursday, June 20, 2013	51
Daniel R. Russel, of New York, to be Assistant Secretary of State for East Asian and Pacific Affairs	53
<hr/>	
Thursday, July 11, 2013	97
Hon. Victoria Nuland, of Virginia, to be Assistant Secretary of State for European Affairs	102
Douglas Edward Lute, of Indiana, to be U.S. Permanent Representative on the Council of the North Atlantic Treaty	105
Daniel Brooks Baer, of Colorado, to be U.S. Representative to the Organization for Security and Cooperation in Europe	109
<hr/>	
Wednesday, July 17, 2013	157
Samantha Power, of Massachusetts, to be the U.S. Representative to the United Nations, the U.S. Representative in the Security Council of the United Nations, and to be the U.S. Representative to the sessions of the General Assembly of the United Nations	162
<hr/>	
Wednesday, July 17, 2013	237
Catherine M. Russell, of the District of Columbia, to be Ambassador-at-Large for Global Women's Issues	239

IV

	Page
Tuesday, July 23, 2013	253
Hon. Morrell John Berry, of Maryland, to be Ambassador to Australia	258
Daniel Clune, of Maryland, to be Ambassador to Laos	261
Joseph Yun, of Oregon, to be Ambassador to Malaysia	264

Wednesday, July 24, 2013	283
Hon. Linda Thomas-Greenfield, of Louisiana, to be Assistant Secretary of State for African Affairs	288
Hon. James F. Entwistle, of Virginia, to be Ambassador to the Federal Republic of Nigeria	299
Hon. Patricia Marie Haslach, of Oregon, to be Ambassador to the Federal Democratic Republic of Ethiopia	302
Reuben Earl Brigety, II, of Florida, to be the U.S. Representative to the African Union, with the rank and status of Ambassador	304
Stephanie Sanders Sullivan, of New York, to be Ambassador to the Republic of Congo	306
Patrick Hubert Gaspard, of New York, to be Ambassador to the Republic of South Africa	308

Thursday, July 25, 2013	337
James Costos, of California, to be Ambassador to Spain	344
Denise Campbell Bauer, of California, to be Ambassador to Belgium	347
John Rufus Gifford, of Massachusetts, to be Ambassador to Denmark	349
John B. Emerson, of California, to be Ambassador to the Federal Republic of Germany	352
Hon. David D. Pearce, of Virginia, to be Ambassador to Greece	355

Tuesday, July 30, 2013	371
Hon. Steve A. Linick, of Virginia, to be Inspector General, Department of State	373
Hon. Matthew Winthrop Barzun, of Kentucky, to be Ambassador to the United Kingdom of Great Britain and Northern Ireland	383
Hon. Liliana Ayalde, of Maryland, to be Ambassador to the Federative Republic of Brazil	386
Hon. David Hale, of New Jersey, to be Ambassador to the Republic of Lebanon	389
Evan Ryan, of Virginia, to be Assistant Secretary of State for Educational and Cultural Affairs	391
Kirk W.B. Wagar, of Florida, to be Ambassador to the Republic of Singapore ..	412
Daniel A. Sepulveda, of Florida, for the rank of Ambassador during his tenure of service as Deputy Assistant Secretary of State for International Communications and Information Policy in the Bureau of Economic, Energy, and Business Affairs and U.S. Coordinator for International Communications and Information Policy	415
Hon. Terence Patrick McCulley, of Washington, to be Ambassador to the Republic of Côte D'Ivoire	418
Hon. James C. Swan, of California, to be Ambassador to the Democratic Republic of the Congo	420
John R. Phillips, of the District of Columbia, to be Ambassador to the Italian Republic, and to serve concurrently and without additional compensation as Ambassador to the Republic of San Marino	432
Hon. Kenneth Francis Hackett, of Maryland, to be Ambassador to the Holy See	435
Alexa Lange Wesner, of Texas, to be Ambassador to the Republic of Austria ...	438

Thursday, September 12, 2013	453
Hon. Nisha Desai Biswal, of the District of Columbia, to be Assistant Secretary of State for South Asian Affairs	456

	Page
Thursday, September 19, 2013	483
Caroline Kennedy, of New York, to be Ambassador to Japan	490
Hon. Anne W. Patterson, of Virginia, to be Assistant Secretary of State for Near Eastern Affairs	509
Gregory B. Starr, of Virginia, to be Assistant Secretary of State for Diplo- matic Security	519
Tuesday, September 24, 2013 (a.m.)	559
Dwight L. Bush, Sr., of the District of Columbia, to be Ambassador to the Kingdom of Morocco	562
Mark Bradley Childress, of Virginia, to be Ambassador to the United Republic of Tanzania	565
Thomas F. Daughton, of Arizona, to be Ambassador to Namibia	569
Matthew Harrington, of Virginia, to be Ambassador to Lesotho	571
Hon. Eunice S. Reddick, of the District of Columbia, to be Ambassador to Niger	591
John Hoover, of Massachusetts, to be Ambassador to Sierra Leone	594
Michael S. Hoza, of Washington, to be Ambassador to Cameroon	596

Tuesday, September 24, 2013 (p.m.)	613
Tomasz P. Malinowski, of the District of Columbia, to be Assistant Secretary of State for Democracy, Human Rights, and Labor	616
Keith M. Harper, of Maryland, to be U.S. Representative to the United Nations Human Rights Council	621
Crystal Nix-Hines, of California, to be U.S. Permanent Representative to the United Nations Educational, Scientific, and Cultural Organization	623
Pamela K. Hamamoto, of Hawaii, to be U.S. Representative to the Office of the United States and Other International Organizations in Geneva	626

Wednesday, September 25, 2013	661
Hon. Philip S. Goldberg, of the District of Columbia, to be Ambassador to the Republic of the Philippines	667
Hon. Robert O. Blake, Jr., of Maryland, to be Ambassador to the Republic of Indonesia	669
Karen Clark Stanton, of Michigan, to be Ambassador to the Democratic Republic of Timor-Leste	672
Amy Jane Hyatt, of California, to be Ambassador to the Republic of Palau	675

Thursday, September 26, 2013 (a.m.)	691
Hon. Rose Eilene Gottemoeller, of Virginia, to be Under Secretary of State for Arms Control and International Security	697
Frank A. Rose, of Massachusetts, to be Assistant Secretary of State for Verification and Compliance	702
Adam M. Scheinman, of Virginia, to be Special Representative of the Presi- dent for Nuclear Nonproliferation, with the rank of Ambassador	707

Thursday, September 26, 2013 (p.m.)	747
Timothy Broas, of Maryland, to be Ambassador to the Kingdom of the Nether- lands	750
Donald Lu, of California, to be Ambassador to the Republic of Albania	754
Robert A. Sherman, of Massachusetts, to be Ambassador to the Portuguese Republic	757

Thursday, October 3, 2013	769
James Brewster Jr., of Illinois, to be Ambassador to the Dominican Republic ..	775
Hon. Carlos Roberto Moreno, of California, to be Ambassador to Belize	778
Brian A. Nichols, of Rhode Island, to be Ambassador to the Republic of Peru	781

	Page
Thursday, October 31, 2013	795
Anthony L. Gardner, of New York, to be U.S. Representative to the European Union	798
Hon. Daniel W. Yohannes, of Colorado, to be U.S. Representative to the Organization for Economic Cooperation and Development	802

Wednesday, November 6, 2013	819
Hon. Carolyn Hessler Radelet, of Virginia, to be Director of the Peace Corps ..	823
Michael G. Carroll, of New York, to be Inspector General, United States Agency for International Development	825

Thursday, November 7, 2013	851
The Honorable Heather A. Higginbottom, of the District of Columbia, to be Deputy Secretary of State for Management and Resources	852
Dr. Sarah Sewall, of Massachusetts, to be Under Secretary State for Civilian Security, Democracy, and Human Rights	870
Richard Stengel, of New York, to be Under Secretary of State for Public Diplomacy	874

Tuesday, November 19, 2013	905
Dana J. Hyde, of Maryland, to be Chief Executive Officer, Millennium Challenge Corporation	907
Mark E. Lopes, of Arizona, to be U.S. Executive Director of the Inter-American Development Bank for a term of three years	909

Wednesday, December 11, 2013	919
Catherine Ann Novelli, of Virginia, to be Under Secretary of State for Economic Growth, Energy, and Environment; Alternate Governor of the International Bank for Reconstruction and Development; Alternate Governor of the Inter-American Development Bank; Alternate Governor of the European Bank for Reconstruction and Development	922
Hon. Charles Rivkin, of California, to be Assistant Secretary of State for Economic and Business Affairs	925
Hon. Tina S. Kaidanow, of the District of Columbia, to be Coordinator for Counterterrorism, with the Rank and Status of Ambassador at Large	935
Puneet Talwar, of the District of Columbia, to be Assistant Secretary of State for Political Military Affairs	939
Hon. Michael A. Hammer, of the District of Columbia, to be Ambassador to the Republic of Chile	957
Kevin Whitaker, of Virginia, to be Ambassador to the Republic Of Colombia ...	960
Bruce Heyman, of Illinois, to be Ambassador to Canada	962

Tuesday, December 17, 2013	1015
Hon. Helen Meagher La Lime, of the District of Columbia, to be Ambassador to the Republic of Angola	1017
Cynthia H. Akuetteh, of the District of Columbia, to be Ambassador to the Gabonese Republic and to be Ambassador to the Democratic Republic of Sao Tome and Principe	1020
Larry Edward Andre, Jr., of Virginia, to be Ambassador to the Islamic Republic of Mauritania	1023
Eric T. Schultz, of Virginia, to be Ambassador to the Republic of Zambia	1026

NOMINATIONS OF JAMES KNIGHT AND DEBORAH KAY JONES

TUESDAY, MAY 7, 2013

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

Hon. James Knight, of Alabama, to be Ambassador to the Republic
of Chad
Hon. Deborah Kay Jones, of New Mexico, to be Ambassador to
Libya

The committee met, pursuant to notice, at 10:07 a.m., in room SD-419, Dirksen Senate Office Building, Hon. Robert Menendez (chairman of the committee) presiding.

Present: Senators Menendez, Udall, Murphy, Corker, Johnson, Flake, and McCain.

OPENING STATEMENT OF HON. ROBERT MENENDEZ, U.S. SENATOR FROM NEW JERSEY

The CHAIRMAN. Good morning. This hearing of the Senate Foreign Relations Committee will come to order. Today we are pleased to welcome two nominees as Ambassador to Libya and Chad, two difficult and important assignments. The Maghreb and Sahel regions are of increasing strategic significance for the United States, and I look forward to hearing your views on these critical and interlinked regions.

We can never forget Ambassador Chris Stevens and the three other American public servants—Tyrone Woods, Sean Smith, and Glen Doherty—who tragically lost their lives in the attack on the United States mission in Benghazi last September. We also remember Anne Smedinghoff, whose death in Afghanistan just last month reminded us once again the danger that every diplomat serving abroad faces.

The attacks on Benghazi raise questions about how we can best ensure that those serving in our embassies can do their jobs and reach outside the wire and still keep our people safe and secure, and I am committed to doing all we can to ensuring that Congress does its part in providing the tools our embassies need to operate as effectively and safely as possible around the world. I look forward to hearing the views of both of our nominees on balancing embassy security with the need to reach outside of that wire.

That said, we cannot let the events in Benghazi overshadow the slow but positive progress that Libya continues to make in fulfilling the promise of the revolution. There is no doubt that progress in Libya has been messy, but the political process is continuing with the parliamentary elections last summer to form the General National Congress. We have seen the emergence of an active civil society that remains engaged over how to best move the country forward, an important ingredient for any democracy.

There is no doubt that the United States enjoys a certain level of popularity in Libya that we saw in the aftermath of Ambassador Stevens' death when thousands took to the street against the extremists and in support of the United States. The critical question is how to harness that goodwill to help the Libyan people shape a safe, productive, and inclusive democracy that has a healthy relationship with the United States.

Still, the most vital and difficult question when it comes to Libya is one of security. The security situation remains precarious. The recent car bomb outside the French Embassy in Tripoli, as well as kidnappings and assassination attempts on public officials by militia groups that still operate with impunity, are a challenge. The central government is unable to assert its control outside of Tripoli, and the broader challenge of disarming and reintegrating former fighters remains. Border security is also an issue of critical concern, as drugs and arms trafficking threaten to destabilize the region.

These issues affect not only Libya, but the entire region. We have already seen how arms flows coming out of Libya have added new weapons to existing conflicts. Borders in the Maghreb and Sahel are often amorphous. Old smuggling routes and new trafficking paths crisscross the region. Too often, we adhere to our own bureaucratic boundaries between the Near East and North Africa on the one hand and sub-Saharan Africa on the other. This hearing will allow us to cross those artificial barriers, take the 30,000-foot view, and hopefully engage in a dialogue about both Libya and Chad in a regional context.

Chad is rife with challenges. It is among the world's poorest countries, with the highest maternal mortality rate in the world, life expectancy under 50, and literacy rates that hover around 30 percent. It is ranked fourth in the most recent failed states index, but it has also stood with the French to restore stability and security in Mali.

In December the United Nations Consolidated Appeal said Chad was "on a steady path to sustainable recovery and stabilization." I hope that is the case. The Sahel is emerging as an increasingly significant strategic region, and Chad is an important diplomatic posting for the United States.

So with that background, I welcome our nominees: the Honorable Deborah K. Jones of New Mexico, nominated to be Ambassador to Libya, and who will be introduced by our good friend and colleague, Senator Udall of New Mexico; and Ambassador James Knight, who comes to us from serving in Benghazi and previously a chief of mission in Benin, and held a number of other posts, mostly in Africa, in his over two decades with the Foreign Service. We look forward to the testimony of our nominees.

With that, let me turn to Senator Corker for his opening statement and then we will turn to Senator Udall to make an introduction and we will hear from our nominees.

**OPENING STATEMENT OF HON. BOB CORKER,
U.S. SENATOR FROM TENNESSEE**

Senator CORKER. Thank you, Mr. Chairman.

I, too, welcome our two nominees and their families, and of course Senator Udall, who will introduce them. I thank the chairman for leading this full committee hearing for nominations. I know that typically we have our chair and ranking member of the respective regional subcommittees take some of the nomination hearings on, given the large number each year, but the roles that our nominees are going to play are very important and the opportunity to consider them is valuable for the full committee.

I just traveled, not 3 months ago or so, through northern Africa to see what is happening with the nodes, if you will, of al-Qaeda that have now splintered off, and the effect that it is going to have on North Africa as well as the role that it is going to play as it relates to world stability. This certainly speaks of the importance of your two roles.

In Chad we have a country that is actually helping and working outside of its boundaries, to help us with some of these issues, but it is very weak internally and has to deal with problems within the country. In Libya we have a situation, as we talked about yesterday in my office, in which a country that has almost no government. You can feel it when you are there on the ground. Much of the country appears under militia control, and many recent changes could have a negative effect on the transition of the country. So we have a special responsibility to maintain strong and positive engagement there because of the role that we played in that country.

So I support the mission of both of you. I thank you for coming today. I look forward to your testimony and look forward to hopefully very strong and outstanding service in the region. So thank you both for being here.

The CHAIRMAN. Thank you.
Senator Udall.

**STATEMENT OF HON. TOM UDALL,
U.S. SENATOR FROM NEW MEXICO**

Senator UDALL. Thank you, Mr. Chairman, and thank you, Senator Corker and members of the committee. I very much appreciate the opportunity to introduce Ambassador Deborah Jones.

Ambassador Jones has served with great distinction over a long career in the U.S. State Department. She also is a fellow New Mexican and we are proud of her accomplishments. Her family has lived in both New Mexico and Arizona since her grandparents moved from Mexico's Colonia Dublon. She has lived in Santa Fe, NM, since 1991. New Mexico is proud to add her to the long list of distinguished ambassadors who have called New Mexico home.

Ambassador Jones has dedicated her life to public service and she has tried to instill those same values in her children. Her

daughter, Isabel, recently worked as an intern in my office and I believe she is here today with us.

The CHAIRMAN. How did she do?

Senator UDALL. And of course, Ambassador Jones will introduce the rest of her family, but I thought I should give special recognition there to Isabel.

In 1982 Ambassador Deborah Jones began her career as vice consul of the U.S. Embassy in Buenos Aires, Argentina. While her career began in Latin America, she soon began to develop her expertise in the Middle East. She is no stranger to tough assignments. In the early 1990s she served as the consular section chief in Damascus, Syria. She was the desk officer for the Hashemite Kingdom of Jordan from 1995 through 1997. She also was Director of the Office of the Arabian Peninsula Affairs and Iran, Bureau of Near Eastern Affairs, and she served with distinction in her critical work as chief of mission at the U.S. Embassy in Kuwait.

She speaks Arabic, Spanish, and French. She has an M.S. in national security strategy from the National War College and a B.A. in history from Brigham Young University.

Following her service as Ambassador in Kuwait, she has worked as a senior adviser for international affairs at the U.S. Naval War College and a scholar in residence at the Middle East Institute.

Ambassador Jones will be ready from day one to tackle the numerous challenges facing Libya. The Libyan people are still struggling to remake their country after years of despotic leadership. The Libyan Government has also been under strain to rein in militias, as Senator Corker talked about. These groups have attempted to use coercion and intimidation to exact legislative changes, such as the recently passed political isolation law. And a terrorist threat still exists today in Libya, a threat which has resulted in attacks on civilians and government officials and embassies, including in Benghazi.

Ambassador Jones will be our first Ambassador since the tragic events at Benghazi. As we consider this nomination, it is important to remember the work of Chris Stevens and all our diplomatic personnel who died while in service to the United States. Ambassador Steven and his staff believed strongly that the value of freedom embraced by both Libyan and the American people would prevail.

Ambassador Jones, if confirmed, will be taking on the important foreign policy task of representing the United States in Libya. She will be continuing the important diplomatic work begun by Ambassador Stevens. I have every confidence that she is up to the task to move us forward in Libya and in North Africa, which has emerged as a region of great importance to our country, and I am thankful for the time she has already spent with me discussing these vital issues.

A peaceful and democratic Libya is important for regional stability. It is important for the interests of the United States. It is no secret that the Qadafi regime created lasting damage in Libya or that militant groups have attempted to take advantage of a government and country that is still in transition. Ambassador Jones will need to work with the Libyan Government to enhance security and the rule of law, and she will have the important work of balancing access with security at our embassies and consulates. I

know she is going to do that well, and through our discussions I know she is mindful of this important job. She has a keen understanding of the responsibility being given to her by the President if confirmed.

Mr. Chairman, thank you again for the opportunity to introduce Ambassador Jones. The President has wisely chosen an individual of great experience, expertise, and commitment, and I look forward to supporting such a well-qualified candidate. Thank you again.

The CHAIRMAN. Thank you, Senator Udall. Thank you for all those insights.

Senator UDALL. And I will excuse myself here, but I am sure that she will do very well without me.

The CHAIRMAN. With that, we are happy to invite Ambassador Jones first to give her testimony. Your full statement, both for Ambassador Jones and Knight, will be included in the record, without objection. And we ask you to summarize it for the purposes of being able to have a discussion, and we invite you, if you wish, to introduce any of your family members that may be here with you. We recognize that service abroad on behalf of the country also is a sacrifice of family, and we appreciate their willingness to engage in that as well.

Ambassador Jones.

**STATEMENT OF HON. DEBORAH KAY JONES, OF NEW MEXICO,
TO BE THE AMBASSADOR TO LIBYA**

Ambassador JONES. Thank you, Senator. Mr. Chairman, Ranking Member Corker, who has just walked out, and members of the committee, I am grateful and I thank you for the opportunity to appear before you today, and a special thank you to the honorable Senator from my home State of New Mexico, Senator Tom Udall, for introducing me to this venerable committee.

I am grateful to the President and the Secretary for their confidence and their trust in nominating me to serve as Ambassador to Libya.

Finally, I would like to thank my family for their support and their understanding, and especially my lovely daughters, Ana and Isabella Olson, who are with me today. Ana and Izzy have always been good troopers and great sports as they have accompanied their parents overseas or otherwise accepted the sacrifices that our commitment to serve has meant for them. They have also kept us very honest along the way, I can assure you, and I am so proud of them. They are great patriots.

Two years on, the euphoria that accompanied the uprising of the Libyan people and the fall of Colonel Qaddafi and his brutal dictatorship has been replaced by a sober recognition of the enormity and the depth of the challenges facing Libya's leaders and its people. As we have witnessed throughout the region, democratic transitions are notoriously difficult. Political progress is organic, not linear. Uprisings can be ignited and fueled by electrons, but we know from our own, often turbulent, past that nations are built on the brick and mortar of sometimes painful compromise and reconciliation through the difficult spadework of political dialogue.

Libya does enjoy several advantages compared to other Arab States or nations like Chad who have recently been affected by any

kind of dramatic political transition, including a relatively small population and significant oil wealth. However, we should never estimate the effects that more than four decades of Colonel Qadafi's rule had on the country and society.

Qadafi deliberately dismantled the country's institutions, blocked the emergence of civil society organizations, and quashed any independent thought or initiative. He relied on a network of corruption that effectively created a vacuum from which Libya's brave new leaders must build democratic institutions, consolidate control over militias, some clearly hijacked by those whose purposes have nothing to do whatsoever with the well-being of the Libyan people, and ensure that all Libyans are represented and respected in the new government, while dispensing with the country's wealth fairly and transparently.

The good news is, despite these difficult challenges, there are courageous and determined Libyans, including many who have given up comfortable lives abroad to return to rebuild their nation, and they have achieved some notable successes: a reconstituted government that pays salaries and provides essential goods and services; the July elections, as you mentioned, Senator, for the General National Council, which were remarkably successful and elevated technocrats over ideologues, forming Libya's first democratic institution in over four decades; and Libya's oil production, which is important to the stability of world oil prices, which has reached preconflict levels, relying largely on the efforts of Libyan nationals.

The inherent optimism of Libyan patriots has fueled these developments, which we saw on display when thousands of Libyans peacefully celebrated the second anniversary of their revolution on February 17 this year.

Having said that, very serious challenges remain, first and foremost the need for Libya's central governing authority to strengthen its capacity to assert sovereign monopoly over security throughout the country and along its vast and porous borders. Flows of loose weapons, including MANPADs, from Libyan territory into conflict zones throughout the broader region must be stanching. The disarming, demobilizing, and integration of the revolutionary brigades and militias whose efforts were so critical to the defeat of Qadafi's dictatorship is now essential for establishing a national, cohesive security apparatus with clear lines of command and control, which will in turn enable the defeat of volatile and deadly rogue militias and prevent a repeat of the tragedy in Benghazi, where Ambassador Stevens and three other of our finest public servants were senselessly and brutally killed. As the President has committed, the perpetrators must be brought to justice, and I will work closely with the Libyan Government to see that justice is realized.

Libya must also consolidate its fledgling democratic foundations. Ultimately, lasting security and domestic stability will emerge from an inclusive constitutional process that delineates clear lines of authority, offers protection to all Libyans, and a reformed judicial system capable of garnering public confidence and administering a comprehensive national transitional justice strategy to deal with past Qadafi-era abuses and current criminality.

The strategic patience that accompanies institution-building, however, must also accommodate the urgent requirements to fill a security vacuum that otherwise will be exploited by invasive, foreign elements, including al-Qaeda's affiliates, whose efforts to establish a safe haven must be denied. In short, Libya's national garden requires careful tending during this fragile period.

We have proposed a modest but important package of technical and other assistance for Libya during this tenuous transitional time and it is fair for the American people to ask why, at a time of our own fiscal restraint and given Libya's relative wealth. But it remains in our strong national interest to fund a limited number of activities of immediate concern to Libyan security and larger regional security and to lay the proper foundations for Libya's transition to a democratic state.

Libya's leaders have asserted their willingness to pay their own way and indeed they are tapping their petroleum revenues and assets of the previous regime. As the Libyan Government evolves and increases its capacity and gains experience, for example, with steps needed to procure and contract, the need for United States and other external funding will drop away.

Implementing these programs now, however, gives us the best opportunity to support and strengthen a Libyan Government that is fragile, but that can be a long-term partner of the United States and a stable actor in the region. Among these U.S.-funded activities are programs aimed at preventing weapons proliferation, providing advice on transitional governance issues of immediate concern, such as border security, rule of law, human rights, and promoting a vibrant civil society. This seed money will pay substantial dividends if it is wisely husbanded.

It is in our national interest, both strategic and ideological, as well as Libya's, to see it fulfill its potential as a stable and prosperous democracy with a fully developed and active civil society and the full integration and participation of all elements of Libyan society and geographic areas, with respect for human rights and international norms.

Historic rivalries between traditional centers of culture and governance can produce a healthy competitive, yet conjoined, national dynamism and create synergies of national opportunity for Libya. The development of its full national capacity and sovereignty will enhance our own security and economic well-being through regional security cooperation, the steady production of hydrocarbons essential to continued global economic growth and trade, and increased opportunities for United States businesses to partner in Libya's renewal and development. A successful democratic transition in Libya, challenges notwithstanding, and they are significant, can be an engine for growth supporting the transitions taking place in neighboring Tunisia and Egypt.

There does remain an extraordinary reservoir of good will for the United States in Libya, given our support of the toppling of Qaddafi and our engagement following the restoration of diplomatic relations going back to Ambassador Gene Cretz' arrival in 2008. I have been very moved and touched by the emails I received from private Libyan citizens following the White House announcement of my nomination expressing their deep sorrow over the heinous, des-

picable attack on Ambassador Stevens and our fallen colleagues and assuring me of their hospitality and desire to welcome and cooperate with the new United States Ambassador.

I am well aware of the unique challenges I will face in the current environment and if confirmed I am committed to working closely with this Congress in carrying on the excellent work of both Gene Cretz and Chris Stevens and their teams in forging strong ties between our governments and people, students, and business communities, and women and minorities, leveraging our instruments of national power and all the connections and the tools at my disposal in coordination with our allies and like-minded powers who do share our interest in seeing a stable and prosperous Libya.

Our engagement with Libya originates long before the 2011 revolution and includes historic cooperation during World War II and the cold war, as well as our cooperative efforts in developing Libya's oil and gas sector since 1959.

Last, but not least, I am deeply conscious of the responsibility I would have as chief of mission for the safety and security of the approximately 4,000 Americans residing in Libya and for that of those individuals attached to our mission there, as we strive to balance safety considerations with a deep desire to engage and do the work of the American people, as expressed by Members of this Congress and this administration. In this regard, I would like to express my deep gratitude to my colleagues in Diplomatic Security and to our United States Marine Corps, other Armed Forces members, and other U.S. agency colleagues whose heroic efforts make it possible for us to continue our daily work there.

Honorable members of this committee, it has been my privilege and great honor to have spent 31 years in the service of my country, working with nine administrations, to champion America's interests and values and expand the reach of freedom through the conduct of diplomacy with nations at war and at peace, most in some sort of political transition, some in poverty, and others enjoying great wealth. Should you choose to confirm me, it will be my honor and my sworn duty to lead our mission in Libya as we meet the challenges of establishing and consolidating the foundations of a strong, prosperous, and democratic Libya, allied with the United States in a mutually beneficial relationship.

Thank you and I look forward to your questions.

[The prepared statement of Ambassador Jones follows:]

PREPARED STATEMENT OF HON. DEBORAH K. JONES

Mr. Chairman, Ranking Member Corker, and members of the committee, thank you for the opportunity to appear before you today, and a special thank you to the honorable Senator from my home State of New Mexico, Senator Tom Udall, for introducing me to this venerable committee. I am grateful to the President and the Secretary for their confidence and trust in nominating me to serve as Ambassador to Libya. Finally, I would like to thank my family for their support and understanding, and especially my lovely daughters, Ana and Isabella Olson, who are with me today; Ana and Izzy have always been good troopers and great sports as they've accompanied their parents overseas or otherwise accepted the sacrifices our commitment to serve has meant for them. They've also kept us honest along the way. I am so proud of them.

Two years on, the euphoria that accompanied the uprising of the Libyan people and the fall of Qadhafi and his brutal dictatorship has been replaced by a sober recognition of the enormity and depth of the challenges facing Libya's leaders and its people.

As we have witnessed throughout the region, democratic transitions are notoriously difficult, and political progress is organic, not linear. Uprisings can be ignited and fueled by electrons, but we know from our own, often turbulent, history that nations are built on the brick and mortar of sometimes painful compromise and reconciliation. Libya does enjoy several advantages compared to other Arab States recently affected by dramatic political transition, including a relatively small population and significant oil wealth. However, we should not underestimate the effects that more than four decades of Colonel Qadhafi's rule had on the country and society. Colonel Qadhafi deliberately dismantled the country's institutions, blocked the emergence of civil society organizations, and quashed any independent thought or initiative. He relied on a network of corruption that effectively created a vacuum from which Libya's brave new leaders must build democratic institutions, consolidate control over militias (some clearly hijacked by those whose purposes have nothing to do with the well-being of the Libyan people), ensure that all Libyans are represented and respected in the new government, and dispense with the country's wealth fairly and transparently.

The good news is that, despite these difficult challenges, courageous and determined Libyans, including many who've given up comfortable lives abroad to return to rebuild their nation, have achieved notable successes: a reconstituted government is paying salaries and providing essential goods and services to the Libyan people; last July's elections for the General National Council were remarkably successful and have elevated technocrats over ideologues, forming Libya's first democratic institution in over four decades; and Libya's oil production—important to the stability of world oil prices—has reached preconflict levels, relying largely on the efforts of Libyan nationals. The inherent optimism of Libyan patriots has fueled these developments, which we saw on display when thousands of Libyans peacefully celebrated the second anniversary of their revolution on February 17 this year.

That said, very serious challenges remain, first and foremost the need for Libya's central governing authority to strengthen its capacity to assert sovereign monopoly over security throughout the country and along its vast and porous borders and to consolidate its democratic foundations. Flows of loose weapons, including MANPADS, from Libyan territory into conflict zones throughout the broader region must be staunch. The disarming, demobilizing and integration of the revolutionary brigades and militias whose efforts were so critical to the defeat of Qadhafi's dictatorship is essential for establishing a national, cohesive security apparatus with clear lines of "command and control." This will in turn enable the defeat of volatile and deadly rogue militias, and prevent a repeat of the tragedy in Benghazi, where Ambassador Stevens and three other of our finest public servants were senselessly killed; as the President has committed, the perpetrators must be brought to justice, and if confirmed, I will work closely with the Libyan Government to see that justice realized.

Ultimately, lasting security and domestic stability will emerge from an inclusive constitutional process that delineates clear lines of authority and offers protection to all Libyans, and a reformed judicial system capable of garnering public confidence and administering a comprehensive national transitional justice strategy to deal with past Qadhafi-era abuses and current criminality. The strategic patience that accompanies institution-building, however, must also accommodate the urgent requirements to fill a security vacuum that otherwise will be exploited by invasive, foreign elements, including al-Qaeda's affiliates, whose efforts to establish a safe haven must be denied. In short, Libya's national garden requires careful tending during this fragile period.

We have proposed a modest but important package of technical and other assistance for Libya during this tenuous transitional period. It is fair for the American people to ask why, at a time of our own fiscal restraint and given Libya's relative wealth. It remains in our strong interest to fund a limited number of activities of immediate concern to Libyan security and larger regional security and to lay the proper foundations for Libya's transition to a democratic state. Libya's leaders have asserted their willingness to pay their own way, and indeed they are tapping their petroleum revenues and assets of the previous regime. As the Libyan Government evolves and increases its capacity and gains experience, for example, with the steps needed to procure and contract, the need for U.S. and other external funding will drop away. Implementing these programs now gives us the best opportunity to help support and strengthen a Libyan Government that can be a long-term partner of the United States and a stable actor in the region. Among these U.S.-funded activities are programs aimed at preventing weapons proliferation; providing advice on transitional governance issues of immediate concern such as border security, rule of law, and human rights, and promoting a vibrant civil society. This seed money will pay substantial dividends if wisely husbanded.

It is in our national interest, both strategic and ideological, as well as Libya's, to see it fulfill its potential as a stable and prosperous democracy, with a fully developed and active civil society and the full integration and participation of all elements of Libyan society and geographic areas, with respect for human rights and international norms. Historic rivalries between traditional centers of culture and governance can produce a healthy competitive yet conjoined national dynamism and create synergies of national opportunity. Libya's development of its full national capacity and sovereignty will enhance our own security and economic well-being through regional security cooperation, the steady production of hydrocarbons essential to continued global economic growth and trade, and increased opportunities for U.S. businesses to partner in Libya's renewal and development. A successful democratic transition in Libya, challenges notwithstanding, can be an engine for growth supporting transitions taking place in neighboring Tunisia and Egypt.

There remains an extraordinary reservoir of good will for the U.S. in Libya given our support for the toppling of Qadhafi and our engagement following the restoration of diplomatic relations, going back to Ambassador Cretz's arrival in 2008. I have been touched by the e-mails I received from private Libyan citizens following the White House announcement of my nomination, expressing their deep sorrow over the heinous attack on Ambassador Stevens and our fallen colleagues and assuring me of their hospitality and desire to welcome and cooperate with a new U.S. ambassador. I am well aware of the unique challenges I will face in the current environment. If confirmed, I am committed to working closely with this Congress in carrying on the excellent work of both Gene and Chris and their teams in forging strong ties between our governments and people, students and business communities, women and minorities, leveraging our instruments of national power, and all the connections and tools at my disposal, in coordination with our allies and like-minded powers, who share our interest in seeing a stable and prosperous Libya. American's engagement with Libya originates long before the 2011 revolution, and includes, for example, our historic cooperation during World War II and the cold war, as well as our cooperative efforts in developing their oil and gas sector since 1959.

Last but not least, I am deeply conscious of the responsibility I have as Chief of Mission for the safety and security of the approximately 4,000 Americans residing in Libya, and for that of those individuals attached to our mission there, as we strive to balance safety considerations with a deep desire to engage and do the work of the American people, as expressed by Members of this Congress and this administration. In this regard, I would like to express my deep gratitude to my colleagues in Diplomatic Security, and to our U.S. Marine Corps, other armed forces members and other U.S. Government agency colleagues whose heroic efforts make it possible for us to continue our work there.

Honorable members of this committee, it has been my privilege and great honor to have spent 31 years in the service of my country, working with nine administrations, to champion America's interests and values and expand the reach of freedom through the conduct of diplomacy with nations at war and at peace, most in some sort of political transition, some in poverty and others enjoying great wealth. Should you choose to confirm me, it will be my honor and my sworn duty to lead our mission in Libya as we meet the challenges of establishing and consolidating the foundations of a strong, prosperous, and democratic Libya allied with the United States in a mutually beneficial relationship.

Thank you and I look forward to your questions.

The CHAIRMAN. Thank you.
Ambassador Knight.

**STATEMENT OF HON. JAMES KNIGHT, OF ALABAMA, TO BE
THE AMBASSADOR TO THE REPUBLIC OF CHAD**

Ambassador KNIGHT. Thank you, Senator. Mr. Chairman, Ranking Member Corker, and members of the committee, I am deeply honored to appear today as the President's nominee to be the next Ambassador of the United States of America to the Republic of Chad. I thank President Obama and Secretary Kerry for the confidence and trust they have shown by nominating me for this position. If confirmed, I will work with you all to best represent the interests and values of the American people to the Government and

people of Chad at a moment when Chad is becoming a stronger partner for the United States and its allies in a critical region.

I am pleased that my wife, Dr. Amelia Bell Knight, has joined me today. Amelia has been my closest partner and strongest supporter throughout my Foreign Service career.

Mr. Chairman, members of the committee, Chad is a vast country, positioned at one of the most important crossroads of Africa. For many centuries the peoples and cultures of sub-Saharan Africa and the Middle East have shared Chad's richly diverse environment. These differing traditions have bequeathed to Chad a unique culture, but one which has faced great tension and turbulence since its independence in 1960.

Chad has been regularly plagued by civil war and has suffered periodic struggles with Libya, Sudan, and other neighboring countries. Today Chad is emerging from this legacy of internal turmoil and regional conflict. Its rapprochement with Sudan in 2010 has supported Chad's internal stability and the stability of the region as a whole. Chad now plays a positive role in the region, contributing to regional mediation and peacekeeping efforts.

Notably, Chad has been a key partner in the international community's efforts to halt extremism in Mali, participating in and sustaining heavy casualties in the international military intervention in Mali. Chad intends to maintain troops there as a key member of an eventual United States peacekeeping operation. In addition, Chad's leadership in the Economic Community of Central African States, the Community of Saharan and Sahelian States, and the Central African Forest Commission advances the hope that we all share for the future of a more prosperous and stable Sahel and Central Africa.

However, ongoing instability and conflict in bordering countries, such as we are now seeing in Chad's southern neighbor, the Central African Republic, threatens the progress Chad has recently enjoyed. Chadian President Deby has led regional negotiations to achieve a broad-based and transparent transition government in the Central African Republic and Chad has contributed troops to the Central African Multinational Force Peacekeeping Mission there.

Chad currently hosts some 375,000 refugees from Sudan and the Central African Republic and new arrivals continue to cross the border due to ongoing conflict. The Government of Chad maintains a cooperative relationship with the humanitarian community, thereby ensuring life-saving assistance is provided to affected populations.

Chad is also subject to the growing regional threat of wildlife trafficking, whereby increasingly armed poachers cross Central African borders to attack a threatened elephant population. This tragedy also impacts the economic livelihoods of local communities, as well as security and the rule of law.

In addition to regional threats, Chad faces great domestic challenges. International investment in Chad is severely constrained by its geographical isolation, limited infrastructure, lack of appropriately skilled workers, high import duties, and widespread corruption. In particular, the Government of Chad must improve its management of its petroleum resources. Chad's oil reserves are in

decline, adding urgency to its need to overcome its persistent underdevelopment. While the Government of Chad has expressed its commitment to strengthening human rights protections, its capacity to implement that commitment must grow.

The people of Chad suffer from great poverty, illiteracy, disease, and high infant mortality. Its history of authoritarian government, punctuated by coups and civil war, complicate the consolidation of democracy, the building of Chad's capacity for good governance, and the fulfillment of Chad's economic potential.

Mr. Chairman, honorable members of the committee, as you know, I have worked in the Sahel and elsewhere to address these kinds of issues for many years. In Iraq, in my current assignment, I have had responsibility for refugees, development assistance, and police reform. In Benin, as a master I successfully oversaw the completion of the country's Millennium Challenge Corporation compact, which addressed challenges similar to those confronting Chad today. In Angola, I helped Africa's second-largest oil producer and its partners improve management of its petroleum resources and revenue. Before entering the Foreign Service, I worked as a development specialist in Niger in an area similar to northern Chad in many ways.

If confirmed, I look forward to energetically addressing the strategic goals of the United States in a wider and fuller partnership with the government and people of Chad. In particular, if confirmed I will support the Government of Chad's efforts to counter the growing threats to regional security and to maintain and widen its regional engagements. If confirmed, I will encourage and support the Government of Chad's pursuit of democratic reform, its capacity and will to implement better governance, and its respect for human rights. I will support and assist the Government of Chad and the international community to assure sound use of humanitarian assistance and improved capacity in the area of disaster management.

If confirmed, my highest priorities as the Ambassador of the United States will be to ensure the safety and welfare of all Americans in Chad and the advancement of United States interests.

Mr. Chairman and members of the committee, please accept my thanks for this opportunity to appear before you today. I look forward to your questions.

[The prepared statement of Ambassador Knight follows:]

PREPARED STATEMENT OF HON. JAMES KNIGHT

Mr. Chairman, Ranking Member Corker, and members of the committee, I am deeply honored to appear today as the President's nominee to be the next Ambassador of the United States of America to the Republic of Chad. I thank President Obama and Secretary Kerry for the confidence and trust they have shown by nominating me for this position. If confirmed, I will work with you all to best represent the interests and values of the American people to the government and people of Chad, at a moment when Chad is becoming a stronger partner for the United States and its allies in a critical region.

I am pleased that my wife, Dr. Amelia Bell Knight, has joined me today. Amelia has been my closest partner and strongest supporter throughout my Foreign Service career.

Mr. Chairman and members of the committee, Chad is a vast country positioned at one of the most important crossroads of Africa. For many centuries the peoples and cultures of sub-Saharan Africa and the Middle East have shared Chad's richly diverse environment. These differing traditions have bequeathed to Chad a unique

culture, but one which has faced great tension and turbulence since its independence in 1960. Chad has been regularly plagued by civil war, and has suffered periodic struggles with Libya, Sudan, and other neighboring countries.

Today Chad is emerging from this legacy of internal turmoil and regional conflict. Its rapprochement with Sudan in 2010 has supported Chad's internal stability and the stability of the region as a whole. Chad now plays a positive role in the region, contributing to regional mediation and peacekeeping efforts. Notably, Chad has been a key partner in the international community's efforts to halt extremism in Mali, participating in—and sustaining casualties in—the international military intervention in Mali. Chad intends to maintain troops there as a key member of an eventual United Nations peacekeeping operation. In addition, Chad's leadership in the Economic Community of Central African States (ECCAS), the Central African Forest Commission (COMIFAC), and the Community of Sahelian States (CEN-SAD) advances the hope we all share for the future of a more prosperous and stable Sahel and central Africa.

However, ongoing instability and conflict in bordering countries, such as we are now seeing in Chad's southern neighbor, the Central African Republic (CAR), threatens the progress Chad has recently enjoyed. Chadian President Deby has led regional negotiations to achieve a broad-based and transparent transition government in the CAR, and Chad has contributed troops to the regional FOMAC peacekeeping mission there. Chad currently hosts some 373,000 refugees from Sudan and the Central African Republic, and new arrivals continue to cross the border due to ongoing conflict. The Government of Chad maintains a cooperative relationship with the humanitarian community ensuring lifesaving assistance is provided to affected populations. Chad is also subject to the growing regional threat of wildlife trafficking, whereby increasingly armed poachers cross central African borders to kill a threatened elephant population, which in and of itself is a tragedy that also impacts the economic livelihoods of local communities as well as security and rule of law.

In addition to regional threats, Chad faces great domestic challenges. International investment in Chad is severely constrained by its geographic isolation, limited infrastructure, lack of appropriately skilled workers, high import duties, and widespread corruption. In particular, the Government of Chad must improve its management of its petroleum resources. Chad's oil reserves are in decline, adding urgency to its need to overcome its persistent underdevelopment. While the Government of Chad has expressed its commitment to strengthening human rights protections, its capacity to implement that commitment must grow. The people of Chad suffer from great poverty, illiteracy, disease, and high infant mortality. Its history of authoritarian government, punctuated by coups and civil war, complicate the consolidation of democracy, the building of Chad's capacity for good governance, and the fulfillment of Chad's economic potential.

Mr. Chairman, honorable members of the committee, as you know I have worked in the Sahel and elsewhere to address these kinds of issues over many years. In Iraq, in my current assignment, I have had responsibility for refugees, development assistance, and police reform. In Benin, as Ambassador, I successfully oversaw the completion of the country's Millennium Challenge Corporation Compact, which addressed challenges similar to those confronting Chad today. In Angola, I helped Africa's second-largest oil exporter and its partners improve management of its petroleum resources and revenue. Before entering the Foreign Service, I worked as a development specialist in Niger, in an area similar to northern Chad in many ways. If confirmed, I look forward to energetically addressing the strategic goals of the United States in a wider and fuller partnership with the government and people of Chad. In particular, I will support the Government of Chad's efforts to counter the growing threats to regional security and to maintain and widen its regional engagement. I will encourage and support the Government of Chad's pursuit of democratic reform, its capacity and will to implement better governance, and its respect for human rights. I will support and assist the Government of Chad and the international community to assure sound use of humanitarian assistance and improved capacity in the area of disaster management. If confirmed, my highest priorities as the Ambassador of the United States will be to ensure the safety and welfare of all Americans in Chad and the advancement of U.S. interests.

Mr. Chairman and members of the committee, please accept my thanks for this opportunity to appear before you today. I look forward to your questions.

The CHAIRMAN. Well, thank you both for your testimonies.

Let me begin with Ambassador Jones. It seems that the Defense Minister of Libya announced his resignation this morning, and the

situation in Libya appears to have hit a challenging point. Over the weekend, gunmen intimidated the Parliament into passing a political isolation law to ban anyone who served in Qadafi's government, including many of the professional technocrats in Libya that will be needed to succeed in the future. It sets a dangerous precedent as these militias continue to lay siege to Libyan ministries.

What do the events of the last few days portend for Libya's future, and how do we help secure a democracy if it is being held hostage by armed militias outside of Parliaments? And what impact do we think the political isolation law will have on Libya's democratic development?

Ambassador JONES. I think, Senator, you are reading my mind this morning as I listened to the news over the last several days. It is definitely a challenge. But I believe again, if confirmed, one of the reasons I believe we need to get an ambassador out there is to provide the support to the government that will help it to enhance its control over these militias.

The Libyan people deserve far better than this. They struggled bravely to throw off 40 years of intimidation, not—I do not believe in exchange for another government of intimidation or intimidation by armed groups or militias. So again, working on the three—you have addressed in your comment there the three stools—the three legs of the stool that are going to be critical to Libya's development, which is again: security, strengthening Libya's security through supporting its government, and training of a professional military and security regime, which we have already started to do in many ways, disarming the militias, of course, but also engaging with them on governance and getting them—to work with them, to look at the impact of these kinds of laws, this isolation law, and the impact that would have on their unity in the future as a government; and civil society, which is the critical part of Libya. The role that civil society has played, the role of women already has been significant. The Libyan people themselves are going to have to make their voices heard and we will help them with that in ensuring that we do not go back to a situation of intimidation.

But again, it is one of the reasons I feel an urgency to get on the ground, to have an Ambassador there who can actually guide our efforts on this side of the ocean, as well as guiding and helping the Libyans to achieve some of the objectives that they want to strengthen that security and to disarm the militias.

The CHAIRMAN. You mentioned civil society as part of the equation. How do you intend, in the security environment that you will be in, to reach out to civil society inside of Libya as part of fostering a greater, more pluralistic participation by its society?

Ambassador JONES. Well, that is a good question. That is where I am going to have to look at the balance every single day of this. You know, an ambassador does not wake up without considering security. That just goes part and parcel with the job. You know, when I was the Ambassador in Kuwait, even though it was a completely different or a very different situation, I did not wake up one morning without thinking what possibly could happen to us that day. In fact, in Kuwait of all places, that was the place where I cancelled the Marine Ball the day of the ball. Now, you have to know what that means in Kuwait, because of course the invasion

of Iraq—the liberation of Kuwait was the largest Marine deployment since World War II. So it is a big event for us there.

But a combination of factors, with intelligence and some other anomalies, led me the day of the ball, on a Friday, to cancel the ball and to wake up, to rouse the Emir's brother in fact, who was the head of their security who protected the Embassy, and ask him to swap out all of his guards.

I take this very seriously, our security. That said, that said, I think there are a number of ways that we can connect. We have a package—the situation is changing all the time. It is very unstable. We all know that. It is something we look at every day. We are working close—we have a package, though, for travel that allows us to get out, not as much as we might like. But there are also, fortunately, other ways of connecting with people, whether it is through media, through Skype, through WhatsUp, through all kinds of connections within Libya, to have us be able to talk even while we might not be as physically present the way we might like in other environments.

But again, sir, until I get out on the ground and see what that is, first thing I do with every mission and I have done in the past is to do a terrain walk with my security officer. I did it in Kuwait, I did it in Istanbul when I was principal officer. I expect to do that in Tripoli as well. I will get out and we will walk the walk. We will see what we can do. We will talk about how we can extend—talk about meeting people in other locations. People can travel out, too. We can take advantage of trips outside of Libya. We can take advantage of other locations inside.

I am just going to have to be creative, and we will look at that as we go, sir.

The CHAIRMAN. To both of you: Chad and Libya share a porous border and a rough neighborhood by any definition. What do you see as some of the key regional challenges, and how could chiefs of mission such as yourselves work together to improve U.S. ability to respond and help shape development in the region?

Ambassador KNIGHT. Thank you, Mr. Chairman. It is clear that us being here together today, myself and Ambassador Jones, speaks to the importance of a shared approach to regional threats in the area that we will both be—in which we will both be working if confirmed.

The importance of this, of coordination, is I think absolutely key because, as you know, there has been a historic division in the State Department between the Maghreb in the northern part of Africa and the rest. That is now being addressed specifically by the creation of a Sahel-Maghreb working group at the Secretary's level in the State Department. I think that is a good first step in this direction.

It is clear that we are also going to have to maintain personal communication and personal coordination of our efforts to address the threats as they emerge along our shared border. Again, it is also important to recognize that it is not simply along the Libyan-Chadian border where the threats arise, but there is a regional dimension to this which extends from Senegal all the way to the other side of Sudan.

If confirmed, I look forward to working with all my colleagues in this effort to address the continuing and continually worrisome threats of terrorism in this area.

Ambassador JONES. Senator, I would also—I would second everything that Jim has said. I would also say that the problem has gone even beyond the Sahel. We know that the flow of weapons from Libya is going, reaching as far as Syria and other places of interest to us, in Gaza, that matter in a very challenging security environment.

I think more than ever we recognize that working with these countries is not a bilateral issue; it is a global issue. I intend to not only draw on my colleagues around all of our resources at State, Defense Department, but also with other countries who have assets and interests in the region who are like-minded, who can support our efforts to disarm, which we have already been working on with the Libyans, to dismantle MANPADs, to locate and destroy chemical weapons stores and a lot of the material and the things that have been left over from, first of all, Qadafi's collection of weapons over the years, of ordnance and other things, but also of the results of their own civil war, of their own uprisings there.

The CHAIRMAN. Thank you.

Senator Corker.

Senator CORKER. Thank you, Mr. Chairman.

Thank you both for your testimony and again, for the families, for being here.

I guess, Ambassador Jones, that the first question I would ask is: What have you done to cause people to send you to Libya? [Laughter.] I know that we talked a little bit about that yesterday in my office.

My serious question is about security. And while we talked a little bit about the safety issue and I know by my own travel through there in October, right after the unfortunate events in Benghazi—you stated the importance of security. Just for the record, if you would just one more time emphasize that, I would appreciate it.

Ambassador JONES. That is security in Libya and how we will—

Senator CORKER. For your personnel at the Embassy.

Ambassador JONES. For my personnel? Absolutely, sir. Let me say that I think our daughters are asking what they did to us to have—their dad is in Islamabad and I am going out to Tripoli. I think they are wondering what they did to cause that. But it is really just to pay for their college, sir. [Laughter.]

What I would say, though, on security—and again this is something that is—well, as we know, it is deadly serious for us, how do we manage security in the building and without. I would like to say that over the course of my career—and even though I know my first assignment no one mentions because it sounds cushy. It was Buenos Aires. It happened also to be during the Falklands-Malvinas war and right after our—recently after our Embassy in Tripoli—“Tripoli”; our Embassy in Teheran had been overrun, which changed the nature of diplomatic practice and made people worry. If we were not safe any more under the Vienna Convention in our embassies, how were we going to make this work?

I have throughout my career and certainly in later years and certainly as Ambassador and principal officer always had a direct connection and picked up the phone with Washington, worked very closely with security at post, worked very closely with DS and with other agencies at post who have access to intelligence and other assets. It is the role of the Ambassador. The Ambassador is the principal security officer at post and it is the Ambassador who has to decide whether to allow people to travel here or there, whether to ask for additional assets, whether to insist on additional assets. And if you do not get the answers you need, you pick up the phone and you speak to the people who are responsible for that, sir.

That is what I intend to do. That is what I have always done. There are many ways to approach that and to continue to press that.

We do know that in the past, yes, we had—

Senator CORKER. I got it, I got it. Thank you.

We were involved in Libya and certainly have a responsibility there because of that involvement. But it would appear to me—and I think I would love to hear your comments—that we have underestimated the challenges there. I have met with government officials there and it is really not a government. I mean, when you look at the responsibilities that they have and you look at the militias throughout the country, it is almost remarkable that the country's functioning.

Do you think we have underestimated the challenges there?

Ambassador JONES. Senator, until I get out on the ground—if there is one thing I have learned—

Senator CORKER. Based on the briefings that you have had?

Ambassador JONES. Based on briefings, I do not know that we underestimated. I think there has been frustration. I certainly know that we have had a setback in these last 8, 9 months without having an ambassador on the ground. It has really set us back in our efforts to support the government there.

You know, beyond that, could I say, did we underestimate? I think that again progress after these kinds of transitions, it is unpredictable, it is organic, it is not linear, it is not formulaic. I think we just have to double our efforts because what I do know is that if we are not there making the effort we most certainly will lose out. We have never won a battle we have not shown up for.

Senator CORKER. So I know again that you want to get on the ground. You want to see how things are, and they are changing daily. So your briefings a few weeks ago regarding Libya today would be very different, I think. But based on what you know today, what is it—typically, when an ambassador comes in in the beginning, where you really lay the groundwork for what you are going to do. Over the first 6 months you are there, what are your goals?

Ambassador JONES. Obviously, I think principal goal is to address the security vacuum, to address the capacity vacuum of the government in terms of its security. Again, how you approach that comes from a different—a number of different areas, arenas. It is not purely training and military training or security training or intelligence, although all of those things are hugely important.

But I think what we have also seen in the aftermath of Benghazi was the importance of civil society as well and the importance of the Libyan people themselves making their voices heard and getting involved in supporting and holding to what they have fought so hard to gain, which is this democratic transition. I think they have more skin in this game than anyone else and they know that.

Senator CORKER. What happens in that transition if we end up, especially with the law that passed on Sunday and some of the resignations that are taking place and others that are being pursued—what happens to our relationship if we end up with militia-men basically in these Cabinet posts?

Ambassador JONES. Sir—

Senator CORKER. Or I might say when we end up with militia-men in the Cabinet posts.

Ambassador JONES. Well, I am not going to accept that premise quite yet, Senator. But I will say that we have to be prepared to engage with anyone who is committed to a democratic transition in Libya through peaceful means.

Senator CORKER. What if it becomes an Islamic state?

Ambassador JONES. Again, I think we have to be—you know, people talked about the Muslim Brotherhood there. We have to be looking at many layers there, whether cutting off support for extremist groups, for extremist ideologies, however that support, whatever form that support may take. We also at the same time need to be engaging with those groups who have again eschewed violence, who are committed to a democratic Libya that is representative.

Until I get on the ground, until I can do more there, I just am not prepared to rule it out—to rule anything in or rule anything out at this stage. I am not saying it is simple. It is not.

Senator CORKER. As you are in the briefings that you are having—and I know you have played an important role at the State Department recently—how do you think the issues that we are dealing with in Libya right now—where we were involved, but not overly involved. We have ended up being where we are in Libya today because of that. And we have Syria, which is developing and has some similar characteristics, not all.

How do you think that our experiences in Libya are shaping our responses as it relates to Syria?

Ambassador JONES. I would not be in a position to—I have not been involved with the policymaking in Syria. I think clearly there are many challenges out there. I think all of these challenges are indicative of the transitions. People want change. I think if there is one lesson we have learned, it is that authoritarian and autocratic governments do not develop civil society that can sustain itself in the immediate aftermath of change, and that is where we need to be prepared to aid and strengthen and step in and support.

If anything, it gets back—I was reading the other day—I tell people there are three books I am recommending to people before I go to Libya. One is—I am giving them a pitch; I am not getting royalties—is Gordon Woods, but he is a Brown author, “The American Revolution.” The second is Machiavelli, “The Prince”; and the third is “The Federalist Papers,” to look at how the idea of sovereignty emerges from the people and how people in these places also need

to understand that they are not yielding authority; they are creating their authority as a nation when they allow—when they vote, when they participate, and when that is part of their—that is a manifestation, that national strength is a manifestation of national will, of the people’s will, and that is the lesson the Libyans and the Syrians and others have to learn and have to work with. It has taken us a progressive long while as well.

Senator CORKER. Thank you.

Ambassador JONES. Thank you.

Senator CORKER. Mr. Chairman, I can stop or keep going, since no one else is here. Why don’t you go ahead and then I will go again.

The CHAIRMAN. Go ahead.

Senator CORKER. OK. I might move on to Chad for a second. Thank you very much for your testimony.

What do you see most recently in Mali—I know that Chad has certainly played a role there. What do you see the threat to Chad being relative to Mali?

Ambassador KNIGHT. Thank you, Senator. My sense is that—and I think this is a widely shared view—is that the Government of Chad sees the regional threats very clearly. The opportunities that it now enjoys are because since 2010 there has been a possibility of greater domestic stability in Chad because the regional threats have subsided.

Because of that, the threat that was posed by the terrorists and insurgents in Mali were perceived as existential threats to the Government of Chad as well and they eagerly pursued the opportunity to address those threats before they became more immediately looming over the government and people of Chad.

Again, they have done a superb job there. They have been the strongest contingent both in terms of numbers and in terms of proactive engagement with the insurgents and terrorists of any of the African forces. They have worked very closely and effectively with the French.

Again, this engagement began with their own strongly driven desire to participate in this at the earliest possible opportunity. For that reason, as I am sure you know, they self-deployed rather than await for the international community to provide that kind of support.

Senator CORKER. How fragile do you see the Government of Chad being? How fragile?

Ambassador KNIGHT. I do not consider it to be fragile so much as it lacks the capacity it needs to be effective. As you now, the President has been in power since the 1990s. He just recently won a fourth term. The government and people of Chad appear to be comfortable with the way the government is emerging toward a more democratic and inclusive approach. Again, what one sees essentially since the rapprochement with Sudan in 2010, a progressively greater interest in acquiring the capacity to govern, acquiring the capacity to support the urgently required economic development of Chad, and the wider pursuit of human rights and the respect for democracy across the board, both in terms of what it does directly as a government, how civil society is taking a broader role,

and again its openness toward international efforts to help it achieve that state.

Senator CORKER. I get the sense there is some question about the interagency coordination that is been taking place in Chad. Do you have any comments regarding that, and the lack thereof?

Ambassador KNIGHT. No, sir. I have not heard about significant problems that have in fact impeded any U.S. Government policies or objectives there within Chad itself. The larger issue as I understand it and considered to be the most urgent is the regional effort to make sure that all our efforts across agencies are coordinated, harmonized, and mutually beneficial in terms of their pursuit.

My best guess is that the kinds of issues that you may be referring to are momentary and addressed relatively effectively by Ambassador Boulware and his team in N'Djamena.

Senator CORKER. It is noteworthy that both of you are actually going to be involved in the countries that you are in, but obviously regionally both of you are going to be very important in your positions.

One last question and thank you, Mr. Chairman, for your courtesy. There is not a USAID—there is no USAID mission in Chad at this time. Do you see that changing? Is it important that it change? any comments there?

Ambassador KNIGHT. Thank you, Senator. There is in fact a USAID representative, a democracy and governance officer paid by USAID who is there full-time and is a member of the embassy staff. He has done a universally well-regarded job in terms of pursuing the ongoing USAID efforts there.

There has not been a USAID mission in Chad since the nineties. There has been only this low-level representation. That decision ultimately resides with USAID and it is a choice made, not only in terms of their goals and objectives, but also with the funding that is available. My personal view—and again I stress, this is my personal view—is that Chad right now offers the optimal opportunity for what a USAID mission could provide. It would help shape and empower the Government of Chad to pursue its goals of better governance. It can help support the capacity engagement which is necessary to assure that its economic development proceeds as appropriately as possible and as quickly as possible, diversify its capacity to participate in the world economy, and fundamentally improve the management of its oil resources, which remain the pillar of its economy.

Senator CORKER. Thank you.

Thank you, Mr. Chairman.

Thank you both for your desire to serve in this way.

The CHAIRMAN. Senator McCain.

Senator MCCAIN. Thank you, Mr. Chairman.

I welcome the witnesses. Ambassador Knight, congratulations on your many years of service. Ambassador Jones, I thank you for yours as well. We had a good meeting in my office.

Ambassador Jones, a quick glance of the headlines on Libya from the past several days, obviously a stark reminder that Libya's transition to democracy remains rough and incomplete. I note two headlines from this morning: Reuters, "Libya Defense Minister Quits Over Siege of Ministries by Gunmen"; and the Wall Street

Journal, "Libyans Anticipate Purge After Ban of Ex-Qaddafi Officials."

Despite the challenges and despite what is happening, I continue to believe we cannot give in to the temptation that our support for the democratic aspirations of people in Libya and elsewhere in the broader Middle East is naive or mistaken. I do not think we can resign ourselves to the false belief that the Arab Spring is doomed to be defined by the dark fanaticism of terrorists. I continue to believe there was and remains a desire for democracy and freedom that has inspired millions of people to peaceful action, and Libya's example should remind us once again that even the worst dictators can be overthrown and swept into the ash heap of history where they belong.

I am deeply concerned by the Libyan Parliament's vote on Sunday to adopt a political isolation law and the ongoing siege of government ministries. The passage of the law exposes on the one hand the government's inability to deal with the armed groups, as well as the overall weaknesses of Libya's central government.

In your assessment, what impact will the political isolation law have on Libya's transition and the integrity of Prime Minister Zaidan's Cabinet?

Ambassador JONES. Thank you, Senator. I share your views that the Libyan people are owed the best we can give them to help them succeed in their democratic transition.

I also would like to mention, subsequent, Senator Corker, to your question, I am hearing from our operations center that it looks like the Libyan Prime Minister may have convinced the Defense Minister not to resign. Let us hope that that holds true.

So again, it is an uncertain situation. I believe that the isolation law is something that I certainly would hope to address if confirmed, to get out with members and get them to rethink the application of that law, how it is defined, how they define many of the conditions. I think that we all know from our own experience with legislation and dealing with that as Americans that sometimes much lies in how we apply it and execute the law, and I am hoping to get out there and be confirmed and have some influence in that, to let them look at the future of their country instead of the immediate desire for revenge. They need to look further than that, and I think the Libyan people know that.

And I do believe with you, sir, that the majority of the Libyan people have fought too hard and want too badly to succeed in a government that is not one of intimidation. They have had that for 40 years. They need a government of representation, sir.

Senator MCCAIN. And you would agree that the Libyan people are largely very appreciative of the United States assistance in the overthrow of Qaddafi? It is not an environment where there is anti-Americanism. In fact, there is strong pro-Americanism.

Ambassador JONES. Absolutely, sir. Prior to your arrival I mentioned in my statement that I had in fact received a number of e-mails from private Libyans once the White House announced my candidacy, welcoming me to Libya and offering their hope for the relationship to continue strongly.

We have lost a lot of time, sir. We need to get going on this.

Senator MCCAIN. Well, that is what I was going to mention next. After Qadafi was overthrown, the light footprint was enacted. We, many of us, argued strenuously for the kinds of assistance, whether it be in border security, whether it be treatment of the wounded, whether it be helping organize the military.

I think it is pretty clear in the objective view of most observers that we have done very little. For example, they had 30,000 wounded. I think we treated three in a Boston hospital. There still is the issue of sovereign immunity, which seems to have hung up our ability to send people there to train their military. Part of it is the Libyans' fault. One heck of a lot of it is our fault.

I would expect that—and I have talked to Secretary Kerry about this problem. You are going to have to start unsticking things, but you are going to have to get the support of the administration, which so far has not been there. So if you are going to succeed in Libya, Ambassador, then you are going to have to speak truth to power, and truth to power is that we are not giving Libya assistance for a whole variety of reasons, not all ours, that will assist them in becoming a functioning democracy.

You are not going to be able to go to eastern Libya any time soon because it is no longer—not just because of what happened in Benghazi, but it is no longer in control of the government. The situation in many ways, as evidenced by yesterday's vote, continues to deteriorate, and it cries out for American assistance, which, which is not the case in some other countries in the Maghreb, would be more than welcome.

So I wish you luck. There are a lot of us who want to see you succeed, but most important, we want the people of Libya to be able to realize an opportunity that they sacrificed a great deal of blood in trying to achieve.

You know the list of concerns that we have. You know the areas where we should be cooperating, and I would hope that you would strenuously advise the State Department and the President of the United States as to how we can salvage what is, unfortunately, a deteriorating situation in Libya.

Ambassador JONES. Thank you, Senator. I appreciate your support.

Senator MCCAIN. Thank you.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

One last thing, Ambassador. You and I spoke and I just want to make sure for the record—I am continually interested on behalf of the families of Pan Am 103 to pursue whomever, whatever were involved in that bombing, which resulted in loss of many lives of Americans, including many from my home State of New Jersey. I assume that I have your commitment upon your confirmation to pursue that line with the Libyan Government.

Ambassador JONES. Absolutely, Senator. That I have to say—in my time, in one of my previous assignments, I had the honor and the painful opportunity to speak to some of the parents who had lost family members, children. I am a parent. I cannot begin to imagine that kind of tragedy. And I can assure you that I will work to continue to press the government to support us. In fact, there has been some effort. I think that there has been some progress on

it. I would not say—"progress" may be too far to go, and of course the FBI would have more of the details of that. But we do continue to press them, and I shall. I give you my word that I will continue to press to bring that to resolution, to bring justice to that.

The CHAIRMAN. Thank you.

Senator MCCAIN. Mr. Chairman, could I make one additional item that I forgot to mention when it was my turn?

The CHAIRMAN. Go ahead, Senator McCain.

Senator MCCAIN. There is a small graveyard in Tripoli, as you know. It supposedly, allegedly, contained the bodies of the American sailors who were unsuccessful in an attempted raid during our attempts to bring the Barbary pirates under control. There are remaining family members and others who are interested in the identification and an effort to repatriate those bodies. It is not a big item in the grand scheme of things, but I think we probably should do what we can to give those brave Americans who perished so long ago a place to rest that is fitting with their sacrifice. You are aware of it?

Ambassador JONES. Actually, that is the first I was aware of that. I think small things can be very important, leading to bigger things, and I appreciate that.

I was telling Senator Corker that in the reading of history of the first time we had a siege in Benghazi in 1967 it was actually a crew of the Army from Tennessee, the Reserves who came and saved the day. So a lot of connections here. We will follow up on that.

Senator MCCAIN. And I am sure you remember part of the Marine Corps Hymn has to do with "the shores of Tripoli."

Ambassador JONES. Yes. Sir, we love the Marines. Absolutely, we love the Marines in the State Department, and I remind people of that all the time.

The CHAIRMAN. Well, thank you both for your testimony. I am convinced of one thing: You cannot direct American assistance without an ambassador at the location. That would be an exercise, I believe, in futility. So we need an American Ambassador at both of these locations, and I believe that it is imperative to have these nominations move forward. It is not in the interests of the United States not to have an ambassador at these locations. National interest and the ultimate outcome of Libya's future can be helped or we can allow it to be shaped by a course of events in which the United States is absent. Our best way in which we pursue the national interest and the national security of the United States is to have an ambassador at both of these posts.

Therefore, the record will stay open until the close of business tomorrow. I urge the nominees, as well as the State Department, to answer any questions posed by committee members ASAP so that we can put these nominations on the next business meeting.

With that and the thanks of the committee, this hearing is adjourned.

[Whereupon, at 11:08 a.m., the hearing was adjourned.]

ADDITIONAL QUESTIONS AND ANSWERS SUBMITTED FOR THE RECORD

RESPONSES OF JAMES KNIGHT TO QUESTIONS SUBMITTED BY
SENATOR ROBERT MENENDEZ

Question. Chad is a country of increasing strategic significance for the United States but the most recent State Department Report on Human Rights described significant human rights problems, especially “security force abuse, including torture and rape; harsh and life-threatening prison conditions; and discrimination and violence against women and children.”

- If confirmed as Ambassador, how would you seek to balance these sometimes strained goals between promoting human rights and working with partners in counterterrorism and other regional stabilization efforts?

Answer. While Chad is a key partner and leader on regional security issues and the United States continues to engage with Chad to address regional instability, we also continue to maintain pressure on the Chadian Government to address its human rights record. Improving human rights conditions in Chad is one of the mission’s primary goals—a goal I embrace and, if confirmed, I will work toward. Furthermore, I will continue our high-level engagement with President Deby and other high-ranking Chadian Government officials on improving and creating the legal and administrative mechanisms necessary to address existing human rights abuse cases and prevent future abuses. This includes professionalizing the military and making it more responsive to civil society concerns. I understand that the Chadian Government (GoC) has improved its efforts to address prison conditions following on a GoC ministeria-level mission to assess prison conditions. The GoC has also allowed international NGOs access to its prisons to assess conditions. If confirmed, I will encourage continued actions by the government to improve prison conditions.

If confirmed, I will also work with both the Government of Chad, as well as a range of civil society partners, to give profile to gender-based violence and to improve the position of women in Chadian society. I understand this is an area that the GoC leadership recognizes needs improvement. Current U.S. Government efforts in this area include a small democracy and human rights fund (DHRF) grant to a Muslim women’s group for a grassroots sensitization campaign on gender-based violence to public diplomacy efforts of video conferences on the subject with Chadian opinion leaders. If confirmed, I will continue to maintain the proactive role of the United States on the range of human rights challenges present in Chad.

Question. Management of the post is absolutely central to the duties of a chief of mission. Embassies are about the people who staff them. N’Djamena is not an easy place to serve, and the U.S. Embassy has in the past struggled with high turnover and other pressures there.

- Drawing on your experience in Baghdad, Benin, and your earlier posts, what do you see as the primary management challenges in a post like Chad?

Answer. You correctly note that staffing our Embassy in Chad has been a major management challenge. Currently, Embassy N’Djamena is fairly well staffed with qualified generalists and specialists. If confirmed, I will make it a priority to mentor and assist the professional development and cultivation of those officers so we can retain them. This will prepare our officers to share their positive experiences in Chad with other Foreign Service officers who may be contemplating a future assignment to Embassy N’Djamena, thus putting us in a position to maintain an appropriate staffing profile and increase our ability to achieve U.S. Government goals and objectives now and in the future.

My experience in the Foreign Service has also shown me that the building of a new embassy compound can also present management challenges. Currently, there are plans for a new Embassy compound in N’Djamena, with a project completion and move-in date scheduled for 2016. If confirmed, this will be my third opportunity to negotiate favorable terms for the United States in the building of an embassy. I oversaw the move into the a new Embassy compound in Luanda, Angola, and was able to negotiate an earlier start date, on the basis of urgent security concerns, on the building of our compound in Cotonou, Benin.

RESPONSES OF DEBORAH KAY JONES TO QUESTIONS SUBMITTED BY
SENATOR ROBERT MENENDEZ

Question. The tragedy surrounding the death of Ambassador Stevens and three other U.S. mission personnel has renewed our attention on diplomatic security. At the same time, we recognize that being confined to the Embassy compound severely

hampers efforts by our diplomats to reach out to broader Libyan society and gauge the pulse of the nation.

- How can the United States balance its role in ensuring diplomatic security with robust engagement, with both the Libyan Government and its burgeoning civil society?

Answer. Diplomacy, by its nature, must be practiced in dangerous places because our interests suffer and our security is threatened when we are absent. Transitions to democracy are notoriously difficult endeavors. It is in our interest to engage with the Libyan Government and Libyan civil society as they seek to usher in a peaceful transition to full democracy. That being said, the safety and security of our personnel overseas are our highest priority. This is a sentiment that I share, that I have taken with me as Ambassador to Kuwait and Consul General in Istanbul, and that I would take to Libya. I will work closely with U.S. security officials to ensure our security posture in Libya meets the threat.

Question. What is the state of our diplomatic presence currently in Libya? What kind of capacity does our Embassy have and what personnel or security challenges will you face in trying to fulfill the responsibilities of your post?

Answer. (SBU) The current security situation in Libya is poor. On May 9, the Department ordered the departure of nonemergency personnel from Libya. However, the existing U.S. security platform is capable of providing substantial deterrence. Our remaining personnel are able to carry out their duties, meet local interlocutors, and advance our policy goals, protected by a robust security presence. The security team includes Diplomatic Security (DS) special agents, a DS Mobile Security Deployments team, U.S. Embassy-hired local national guard force and close protection unit, and a Marine Security Force unit. Additionally, the perimeter security has been bolstered by Libyan police and military forces. The physical and technical security posture has also been steadily improved with additional properties obtained for greater setback, wall heights increased, razor wire added, a technical security upgrade project to supplant existing CCTV cameras, the emergency warning notification system, and security screening equipment.

Question. What will you do to ensure the protection of your personnel, and how have your previous deployments prepared you for this high risk post? Have you received any new training to prepare you for this assignment should you be confirmed?

Answer. As I noted during my hearing, the Ambassador is the senior security officer at post, drawing on the best advice and intelligence from the people on the country team, to include intelligence officers, political analysts, military advisers and security professionals. By its nature diplomacy is a risky business: we must be deployed to accomplish our mission. It is a matter of weighing that risk against mission priorities and objectives, particularly in the fluid security environments in which we find ourselves.

I have spent much of my 31-year career at high-threat posts in a volatile region of the world. Focusing on security is second nature to me. In preparation for Libya, should I be confirmed, I have taken the Department's Bureau of Diplomatic Security (DS)-administered Foreign Affairs Counter Threat (FACT) Course. The DS FACT course provides participants with the knowledge and skills to better prepare them for living and working in critical and high-threat environments overseas. The course instructs participants in the practical skills necessary to recognize, avoid, and respond to potential terrorist threat situations.

Question. The security situation in Libya remains precarious, with militia groups continuing to operate with autonomy and impunity. This also raises serious concerns about Libya's porous borders and arms trafficking. The central government in Tripoli has thus far been unable to exert control and restore peace and security throughout the country.

- How is the United States currently engaging the Libyan Government on efforts to disarm and reintegrate former rebel fighters and to secure the country's borders?

Answer. To support Government of Libya's demobilization, demobilization, and reintegration (DDR) programming, the United States—in coordination with the United Nations Special Mission to Libya (UNSMIL)—has assisted the Libyan Government in provision of urgent medical treatment to severely wounded rebels in 2011–2012 and is currently working with the Ministry of Health to improve capacity in three Libyan health clinics in order that Libya can provide better in-country treatment to former rebels with long-term injuries and the general population. We are also supporting civil society organizations' efforts to advance transitional justice,

reconciliation and conflict resolution through community dialogue and activities, particularly in areas most affected by the 2011 civil conflict and with large populations of former rebels. Our weapons abatement program with the Government of Libya supports incorporates former rebels into the work of inventorying and security national weapons depots. We are providing technical assistance to the government-established Warrior Affairs Committee (WAC) which leads the national DDR effort. We are working with the WAC to convene train-the-trainer workshops that teach former brigade commanders conflict resolution skills and nonviolent communication skills for their use as they continue to operate as civilian community leaders. We plan to expand our community-based programming with civil society and the WAC this summer to build on our partnerships' successes.

Improving the Government of Libya's capacity to address its serious border security challenges is a priority for the Libya, the United States, and the international community. In coordination with UNSMIL, we are providing technical and tactical training to GOL border security personnel from the Ministries of Defense and Interior and the Customs Authority who are responsible for border management and security. We plan to expand our support in the sector given Libya was designated in September as eligible to receive funds through the Global Security Contingency Fund (GSCF). Our plan is to use GSCF to bolster Libya's border security capacities to secure its vast desert land borders in the south through an interministerial approach. Programming is to incorporate Libya's southern neighbors of Chad, Niger, and Algeria.

Question. What more should the United States be doing to address this issue, which has significant implications for Libyan, regional, and U.S. security?

Answer. In recent months, as the weakness in Libya's border security management became increasingly apparent, the Libyan Government has increasingly made border security a priority and during a February meeting with senior officials from Libya's key international partners called on the international community to assist with this transnational challenge. The United States and Libya's other international partners endorsed this request and since has been working with UNSMIL and others to encourage increased support. For our part, we are expanding our support through use of up to \$20 million in Global Security Contingency Funds (GSCF). This program will complement the EU mission to improve border security in Libya. The EU is establishing a 60-person mission in Tripoli with funds for an initial 3-year operation. The mission should be fully staffed by end of 2012. We remain responsive to any requests from the Libyan Government for increased U.S. security sector support, and are willing to explore all options available to provide targeted, technical assistance to Libya and its neighbors in a region of strategic significance for U.S. national security interests.

Question. Libya has the advantage of significant oil reserves and thus financial resources. But given the government's limited capacity, challenges remain about ensuring transparency in how the money is spent and making sure the revenue reaches the Libyan people through investments in infrastructure and social services.

- What role do you envision for the United States in this regard?
- What are some targeted assistance programs you would like to accomplish as Ambassador vis-a-vis building Libya's infrastructure?

Answer. Managing Libya's oil sector and the significant revenues it generates transparently and responsibly will help the Libyan Government demonstrate a clear break from the past, and build confidence in the government among Libyan citizens. Transparency in both the collection and use of revenues are critical components of sound oil sector governance. Other tools are also needed, including a robust technical understanding of the sector itself, methods of monetization, sound laws and regulations in line with international best practices, environmental and social protections, and engagement with affected communities. The Department regularly raises these issues in ongoing dialogues with the Government of Libya. We have also encouraged the Government of Libya to join both the Open Government Partnership and the Extractive Industries Transparency Initiative, two efforts which could help shed light on the revenues accrued by the Libyan Government and how they are being spent.

Question. As you know 270 people, including 189 Americans, died when Pan Am Flight 103 crashed as a result of a bombing perpetrated by the Qadhafi government. Abdelbaset al-Megrahi was convicted of carrying out this crime, but his coconspirators have yet to be brought to justice.

- What is being done to press Libyan authorities for help gathering more information about the Pan Am 103 bombing, particularly information about who—other than al-Megrahi—was involved in the planning and carrying out of the event?

Answer. The investigation into the Pan Am 103 bombing remains open. We are committed to assisting law enforcement efforts in obtaining and evaluating any new information relating to it. As this is an ongoing investigative matter, I refer you to the Department of Justice for any further details.

Question. In your new role what can you personally do to pursue this objective?

Answer. The State Department remains committed to pursuing justice on behalf of the victims of the Pan Am 103 attack that took the lives of 189 Americans and many others. As Ambassador to Libya, if confirmed, I will work closely with the Department of Justice and the Libyan Government to bring to justice the perpetrators of this horrific attack and give the families of the victims closure.

RESPONSE OF DEBORAH KAY JONES TO QUESTION SUBMITTED BY
SENATOR BOB CORKER

Question. As it relates to the chemical weapons located in Libya, what are the steps that have been taken to date by the USG with regard to that threat? What is the interagency coordination that is taking place to address any remaining issues in eliminating any threat?

Answer. The State Department has worked closely with the Libyan Government to provide approximately \$1 million of assistance to help secure its chemical weapons (CW) stockpile through the Nonproliferation and Disarmament Fund (NDF). This critical security assistance facilitated the return of Organization for the Prohibition of Chemical Weapons (OPCW) officials and allowed Libya to complete the destruction of its bulk mustard agent earlier in May 2013. The United States continues to work closely with Libyan authorities on this important issue, and the Department of Defense's Cooperative Threat Reduction (CTR) program has offered the Libyan Government additional equipment and technical safety and security assistance to destroy the CW munitions previously hidden by the Qadhafi regime.

RESPONSE OF JAMES KNIGHT TO QUESTION SUBMITTED BY
SENATOR ROBERT P. CASEY, JR.

Question. The Leahy amendment requires the U.S. Department of State to vet military and law enforcement individuals and units for evidence of human rights violations before the United States can provide security assistance. This law is vitally important for ensuring that we are upholding American values in the provision of security assistance and that we are not overlooking human rights violations.

- Beyond simply implementing the law, what will you do as Ambassador to ensure that your Embassy staff is affirmatively seeking to identify security force units responsible for human rights violations and not simply waiting to receive information?
- Further, what steps will you take to offer assistance your host governments to help identify and prosecute members of security forces who commit human rights violations?

Answer. The embassy staff is currently working with local and international NGOs and the Government of Chad to identify human rights violators and to ensure that only units and individuals with clean human rights records receive training and assistance. When a unit or an individual proposed to receive assistance is determined to be ineligible because of credible information of a gross human rights violation, the embassy will inform the host government and offer assistance in bringing violators to justice. We may have to develop alternative assistance plans if credible information of gross human rights violations is found.

RESPONSES OF DEBORAH KAY JONES TO QUESTIONS SUBMITTED BY
SENATOR ROBERT P. CASEY, JR.

Question. I am deeply troubled, as are many of my constituents, that the perpetrators of the devastating attack on our facility in Benghazi have not been brought to justice. More than 8 months after the attacks, what progress has the U.S. Government made in identifying and bringing to justice those parties responsible for mur-

dering U.S. personnel in Benghazi? How would you assess cooperation with Libyan officials?

Answer. Bringing the perpetrators of the Benghazi attacks to justice is a top priority for the United States, and it would be a major focus for me in Tripoli. If confirmed as Ambassador, I would engage with Libyan authorities at the highest levels and encourage swift progress on this investigation.

I refer you to the FBI for any details about the current status of their investigation into the attacks on our facilities in Benghazi. President Obama discussed the importance of Libya's cooperation with the ongoing investigation during the Libyan Prime Minister's visit to Washington in March 2013, and I am committed to ensuring that the Libyan Government continues its support and cooperation with the FBI.

Question. The situation in Libya continues to be quite volatile, with armed groups using heavy weaponry to intimidate public officials and paralyze various ministries. As I'm sure you know, a critical part of Libya's reform requires comprehensive security and justice sector reform that includes demobilizing militias, building an effective internal security force, and addressing the continued mistreatment and detention without due process of individuals who remain in detention facilities outside of state controlled facilities.

- What role do you envision for the United States in this process?

Answer. Comprehensive security and justice reform is required for Libya to successfully transition to a democracy. Libyans recognize this and with scant experience in democracy, they also understand that they cannot meet this challenge without outside expertise and support. At the recent Paris Ministerial on Libya in February, Libyan Foreign Minister Abdulaziz—with full endorsement of the United States, its other key partners—pledged that his government would make security and justice reform its highest priorities and called upon the international community to support them. If confirmed, my role will be to continue to uphold our commitment made in Paris while urging Libya and other partners to do the same. More specifically, if confirmed I will ensure the United States continues to carry out the technical training it is providing to the Ministry of Interior to strengthen its administrative capacity and tactical skills and to improve its understanding and respect for internationally accepted human rights practices. I will also maintain our programming that supports the Ministry of Justice's efforts to carry out detention reform through improved policy and management training as well as through tactical and human rights training of judicial police. I also look forward to continuing our efforts to expand our bilateral military relationship through regular dialogue and exchanges and via targeted tactical and professional training courses.

Beyond our current assistance, if confirmed as Ambassador I will consider new opportunities where the United States is best positioned to support Libya in strengthening rule of law and security. I will continue the current practice of limiting our assistance to that which advances U.S. national interests, is requested by the Libyan Government and is coordinated with the United Nations Special Mission to Libya (UNSMIL). I will not only pursue U.S. assistance options but also encourage U.S. private and public institutions to assist Libya through entering in public—private partnerships. I will also explore with my country team and the interagency possible ways to develop cost-sharing arrangements with the Libyan Government for provision of additional support.

Question. The Leahy amendment requires the U.S. Department of State to vet military and law enforcement individuals and units for evidence of human rights violations before the United States can provide security assistance. This law is vitally important for ensuring that we are upholding American values in the provision of security assistance and that we are not overlooking human rights violations.

- Beyond simply implementing the law, what will you do as Ambassador to ensure that your Embassy staff is affirmatively seeking to identify security force units responsible for human rights violations and not simply waiting to receive information?
- Further, what steps will you take to offer assistance your host governments to help identify and prosecute members of security forces who commit human rights violations?

Answer. The Embassy staff, although currently limited in size, is already working with local and international NGOs, and the Libyan Government to identify human rights violators and to ensure that only units and individuals with clean human rights records receive training and assistance. When candidates for training or assistance are determined to be ineligible because of credible information reporting gross human rights violations, the Embassy will inform the host government and

offer assistance in bringing violators to justice. We also consistently advocate the need for Libya to develop rights-respecting security forces, and are exploring ways to help the Libyan Government integrate human rights into their doctrine, training, and accountability mechanisms.

RESPONSES OF JAMES KNIGHT TO QUESTIONS SUBMITTED BY
SENATOR CHRISTOPHER A. COONS

Question. I am pleased that you indicate in your testimony that Chad will maintain troops in Mali as part of the planned U.N. mission. How many do they plan to contribute and how can the United States best support the capacity and professionalization of Chadian troops?

Answer. The Government of Chad has indicated that it is willing to contribute troops to the newly established United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) if asked. However, it has begun a gradual reduction in its forces in Mali in rough parallel with France's reduction in forces. The United States trained and equipped the Chadian Special Anti-Terrorism Group (SATG) unit that deployed to, and participated in, the African-led International Support Mission to Mali (AFISMA) combat operations with the French against Al Qaeda in the Islamic Maghreb (AQIM) and associated terrorist elements in northern Mali. Additionally, we provide training through the International Military Education and Training (IMET) and Peacekeeping Operations (PKO) funded programs on counterterrorism through the Trans-Sahara Counterterrorism Partnership (TSCTP).

Question. Chad is an unfortunate example of a country that has not used its oil reserves to improve the lives of the Chadian people, and has a history of authoritarian rule and human rights abuses. As we rightly recognize Chad's strategic importance, if confirmed, how will you help advance democratic rule and ensure that U.S. support for Chad's security is not perceived as tacit acceptance of poor governance?

Answer. While Chad has been a key partner and leader on regional security issues, we continue to press the Chadian Government to open political space for political parties and civil society and to improve governance and transparency, which will contribute to Chad's development. The United States, working with international partners, has helped the Chadian Government, ruling party, and political opposition reach agreement on procedures and institutions that will eventually increase democratic choices for the Chadian people, including an electoral roadmap. Our foreign assistance, while limited, supports democratic institution-building, political party and civil society development, conflict-resolution, interethnic dialogue, and training in rule of law. We are also working with the GoC as it participates in the Extractive Industries Transparency Initiative (EITI), as it works toward compliance with all of the initiative's requirements. In addition to providing timely information on the payments GoC receives from its oil sector, thus adding transparency to this issue, the EITI process creates a policy space for GoC, civil society, and industry representatives to further discuss resource transparency. If confirmed, I will continue these efforts to ensure that our focus remains on helping Chad to build democratic, transparent institutions that can represent and serve its citizens.

Question. Chad's oil revenues are declining. If confirmed, how will you support economic diversification in Chad and opportunities for the U.S. private sector?

Answer. Economic development is a priority of our engagement with Chad. We are working to expand Chad's economic development in several key sectors, such as health, education, and agriculture through broader use of the African Growth and Opportunity Act (AGOA) and by hosting private sector development roundtable discussions to highlight the role that the private sector could play in Chad's economic development. If confirmed, I would like to expand these types of activities, which build on Chad's own economic reform agenda. If confirmed, my team and I will work with the Chadian Government to improve its investment climate in order to attract U.S. private sector investors.

RESPONSES OF DEBORAH KAY JONES TO QUESTIONS SUBMITTED BY
SENATOR RAND PAUL

Question. You mentioned in your testimony that weapons from Libya are finding their way into Syria. How has the State Department been able to track these arms flows and assess the numbers and types of weapons entering Syria?

Answer. The State Department remains concerned about weapons proliferation from Libya to neighboring countries. We refer you to the intelligence community for details on how the U.S. Government tracks the flow of weapons throughout the region.

Since the revolution, the United States, in coordination with the U.N. Special Mission in Libya, has provided the Government of Libya with approximately \$40 million in targeted technical assistance to develop the capacities needed to secure Qadhafi-era weapons stockpiles and improve border security management along Libya's long, porous borders.

Question. To date, not one person that participated in the attack on the consulate in Benghazi has been captured. If confirmed, what will you do to help bring the perpetrators to justice?

Answer. I refer you to the FBI for any details about the current status of their investigation into the attacks on our facilities in Benghazi.

President Obama spoke with Libyan Prime Minister Ali Zeidan during his visit to Washington in March about the importance of Libya's cooperation with the ongoing investigation. During his time in Washington, the Prime Minister publicly affirmed that Libya is committed to bringing those responsible for the attack before a court, and that Libya is "keen on reaching the truth and to see that justice is achieved."

I am committed to ensuring that the Libyan Government continues its support and cooperation with the FBI investigation, understanding that Libya's limited investigative capacity presents serious challenges. I have spoken personally with FBI Director Mueller about this investigation, and we will work closely to bring the perpetrators to justice, if I am confirmed.

Apprehending the perpetrators of the attacks on our facilities in Benghazi, which took the lives of Ambassador Stevens and three other colleagues, is a top priority for the United States. It will be a major focus for me should I be confirmed as Ambassador. We need an American Ambassador in Tripoli to engage with the Libyan authorities and make swift progress on this investigation.

Question. Do you think it is appropriate to provide Libya, which has substantial national funds, with foreign aid while the murderers responsible for the deaths of Ambassador Stevens and three other Americans remain at large?

Answer. It is in our national interest to support Libya as it works to develop a democratic state after 42 years of dictatorship. Libya's success in this endeavor will advance our own interests in terms of security, energy, rule of law, and human rights—issues which are important to the Libyans and to regional stability as well.

As Libya has substantial natural resources but lacks the capacity and the expertise to meet the immense challenges of its transition, we are limiting our support to issues of immediate concern to the United States. Our targeted assistance to the Government of Libya is therefore primarily focused on collection and destruction of munitions including anti-aircraft missiles, destruction of chemical weapons, and technical training for security and rule of law personnel. We are also contributing to our shared goal with Libya of creating an effective civil society. Our programming in this sector is providing support for electoral processes, transitional justice, constitution drafting, empowerment of marginalized groups including women and minorities, strengthening national unity, and good governance.

We believe investing modestly in Libya's future will positively influence Libya's democratic transition, promote stability, and pay dividends for a lasting relationship with a country where the majority of people are committed to building a democracy and favorably inclined to the United States.

**NOMINATIONS OF GEOFFREY R. PYATT AND
TULINABO SALAMA MUSHINGI**

WEDNESDAY, JUNE 19, 2013

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

Geoffrey R. Pyatt, of California, to be Ambassador to Ukraine
Tulinabo Salama Mushingi, of Virginia, to be Ambassador to
Burkina Faso

The committee met, pursuant to notice, at 2:05 p.m., in room SD-419, Dirksen Senate Office Building, Hon. Christopher Murphy, presiding.

Present: Senators Murphy and Johnson.

**OPENING STATEMENT OF HON. CHRISTOPHER MURPHY,
U.S. SENATOR FROM CONNECTICUT**

Senator MURPHY. I call this nomination meeting to order.

Today, the Senate Foreign Relations Committee will consider two nominations: Geoffrey Pyatt, to be Ambassador to the Ukraine, and Dr. Tulinabo Salama Mushingi, to be the Ambassador to Burkina Faso.

Before we begin, let me remind members that the deadline for submission of questions for the record is noon on Friday.

First, let me begin by welcoming our two nominees, as well as your families. We are glad that you are both joined by your families, and we know that you will introduce them in your opening remarks.

I will give some brief remarks and then turn it over to Senator Johnson for his. I will introduce our two witnesses—I will likely do that together—and then allow you to give opening statements, followed by questions.

Let me congratulate you both on your nominations. If confirmed, you are going to be called upon to implement the policies of the United States and to serve to advance the interests of our great country. The challenges that you both face are unique.

In Ukraine, we have a country that is teetering on a tightrope, dependent, in many ways, still on Russia, its much larger neighbor, but desirous of a closer relationship with Europe and the West. The United States is committed to helping Ukraine become a modern, prosperous democracy.

Ukraine is important, for many reasons. It is the second-largest country in Europe, rich in natural resources, with a strategic location on the border of Russia and the European Union, and coastline, of course, on the Black Sea.

In 1996, Ukraine completed the removal of the Soviet-era nuclear arsenal from its territory, a brave decision that made the Ukraine an example for many other nations to follow. More recently, Ukraine has made strides in developing its own energy resources and attracting foreign investment, an endeavor that will make it, hopefully, easier to achieve an association agreement with the European Union and accompanying reforms to come.

Our new Ambassador will be arriving in-country at a time of great importance, second perhaps only to 1991 as a potential inflection point in modern Ukrainian history. This November, the European Union will convene the Eastern Partnership summit, where we hope that Ukraine will sign an association agreement to set Ukraine firmly on the path of joining the European Union.

But, in order to proceed with Ukraine's political association and economic integration with the European Union, they must continue making progress on the overall reform agenda, including clear signals that the era of selective political prosecutions is over. The challenges are significant, but not insurmountable. Our mutual interests demand that we must continue to strengthen our ties with Ukraine, and work with them as they chart a new path to a modern, democratic future, in partnership with Europe.

Another nation that is very important to the United States, and where we also must help move forward modern democratic reforms is Burkina Faso. Like the Ukraine, the United States has worked closely with Burkina Faso in the areas of security cooperation and economic development. The President there has played an important and constructive role recently as a regional peacemaker, an example that we hope other leaders in the region will follow. He was instrumental in negotiating a cease-fire agreement between the Malian Government and the Tuareg rebels, signed just yesterday, following talks at the Presidential palace in the country's capital. At the same time, though, we follow continuing reports of human rights abuses in country that we know our next Ambassador will have to address, as well.

Going forward, we hope the President and the ruling party will expand the space for political opposition and undertake the reforms necessary to ensure the long-term stability of Burkina Faso.

We are both very interested in your perspectives today. We are glad that you are here.

And I will turn it over now to Senator Johnson for his opening remarks.

**OPENING STATEMENT OF HON. RON JOHNSON,
U.S. SENATOR FROM WISCONSIN**

Senator JOHNSON. Well, thank you, Mr. Chairman.

And, Mr. Pyatt and Dr. Mushingi, welcome. We also want to welcome your families.

And I just want to say, I truly appreciate your willingness to serve this Nation. As Senator Murphy was stating, it is just an incredibly important responsibility. You do represent us in these two

very important countries. I have been to Ukraine. We had a very interesting hearing last week about the pressure of Russia, both in terms of their own civil rights, their own civil society, but also the pressure they are putting on that belt of democracy around it. And, of course, Burkina Faso is becoming an important country, from the standpoint of our effort against global terrorism as al-Qaeda is spreading around northern Africa.

So, these are two very important countries, and I truly do appreciate your willingness to serve this Nation, and I am looking forward to your testimony. So, welcome.

Senator MURPHY. Thank you, Senator Johnson.

Let me now introduce our two guests. I will introduce you both at this time. I will start with Mr. Pyatt and then Dr. Mushingi can give testimony.

First, let me recognize Geoffrey Pyatt, of California, the nominee for Ambassador to Ukraine. Mr. Pyatt is a career member of the Senior Foreign Service. He is currently the Principal Deputy Assistant Secretary of State for the Bureau of South and Central Asian Affairs, where he has served admirably. He was previously the Deputy Chief of Mission at the U.S. Mission to the International Atomic Energy Agency, and international organizations in Vienna, the Deputy Chief of Mission at the U.S. Embassy in New Delhi, and Economic Officer at the U.S. consulate in Hong Kong. He received his B.A. from the University of California at Irvine. His crowning achievement, however, was undoubtedly receiving his master's degree in New Haven, CT, from Yale University. [Laughter.]

Shameless. [Laughter.]

Dr. Mushingi is our nominee to be Ambassador to Burkina Faso. Dr. Mushingi is a career member of the Senior Foreign Service, as well, currently serving as Deputy Executive Secretary and Executive Director of the Executive Office of the Secretary of State. There is no title in the Federal Government that has the word "executive" in it more than yours. [Laughter.]

From 2009 to 2011, he was Deputy Chief of Mission at the U.S. Embassy in Ethiopia. He previously served in Tanzania, Morocco, Mozambique, and Washington, DC. He began his career as a cultural and language trainer for the Peace Corps. He received his B.A. and M.A. from the Institut Supérieur—oh, boy, you have got a long title, here—well, let us just say he received it in the Republic of Congo, and he received an M.A. from Howard University, and a Ph.D. from Georgetown University.

We welcome both of you today, appreciate your patience in getting to today's hearing, and look forward to your testimony.

Mr. Pyatt, we will begin with you.

**STATEMENT OF GEOFFREY R. PYATT, OF CALIFORNIA,
TO BE AMBASSADOR TO UKRAINE**

Mr. PYATT. Thank you, Senator Murphy. And certainly, I look back on my time in New Haven as a highlight of my education, so thank you for the reference, there.

Mr. Chairman, members of the committee, it is a great honor to appear before you as President Obama's nominee to be the next United States Ambassador to Ukraine. I am grateful to the Presi-

dent, Secretary Kerry, and former Secretary Clinton for the confidence they have placed in me through this nomination. And, if confirmed, I will look forward to working closely with the members of the Foreign Relations Committee and its staff.

With the Chairman's permission, I would like to begin by introducing my wife, Mary, with whom I have shared a 23-year Foreign Service career that has taken us and our children much further than either of us could have imagined, with Mary serving as a teacher at each of our overseas assignments.

If confirmed, I will continue to build our strategic partnership with Ukraine and realize the potential we see in this relationship. The U.S.-Ukraine Charter on Strategic Partnership, signed by Secretary Rice, and the commission that Vice President Biden established to implement this charter, set high expectations for our bilateral ties. If confirmed, my highest goal will be to sustain the effort to advance Ukraine on the path toward a modern European democracy.

One area of notable achievement in our bilateral relationship is cooperation on nonproliferation, and, in particular, the removal of all highly enriched uranium from Ukraine, as jointly pledged by President Yanukovich and President Obama at the 2010 Nuclear Security summit. Ukraine's leadership on this issue stands as an example for countries around the world. Indeed, Ukraine's decision to remove all of its nuclear weapons and join the NPT as a non-nuclear-weapon state, was one of the major accomplishments for European peace in the past 20 years.

In recent years, Ukraine has become a valuable contributor to U.N. peacekeeping. Ukraine also participates in NATO operations, including troops in Afghanistan and Kosovo. The United States strategic goals for Ukraine have remained broadly consistent throughout more than 21 years of independence. We support Ukraine's sovereignty, independence, and territorial integrity.

In keeping with the aspirations of the Ukrainian people, the United States promotes democracy, a market economy, and rule of law in order to encourage the development of a strong, prosperous, and European state. If confirmed, I will encourage the Ukrainian Government to act now to take advantage of the historic opportunity to pursue European integration and to meet the EU's conditions for signature of the European Union/Ukraine association agreement.

In the past 3 years, the United States has expressed increasing concern about the political situation in Ukraine, especially regarding the selective prosecutions of opposition leaders. If confirmed, I will encourage Ukrainians to set high standards for themselves on human rights and rule of law, recognizing that democratic principles are in Ukraine's own interests and fundamental to United States policy.

I will also support Ukrainian aspirations for free and fair elections that meet the bar they set for themselves in 2010, especially looking forward to the 2015 Presidential elections.

This year, as Chairman in Office of the OSCE, Ukraine has the opportunity to demonstrate its international leadership and set an example for other countries. We have been encouraged by the role that Ukraine has played so far in its OSCE chairmanship, and, if

confirmed, I will look forward to working closely with Ukraine to sustain this success.

Ukraine's economic prosperity depends on financial stability, promoting reforms, and attracting foreign direct investment, especially in the energy sector, which is an area of growing United States/Ukraine cooperation. United States companies are ready to invest in unlocking Ukraine's gas resources and helping the country to achieve its goal of increased energy independence. But, our trade and investment relationships should be bigger, and the business climate in Ukraine has been weakened by corruption and questions about the fairness of the courts. If confirmed, I will make it a priority to advocate on behalf of United States companies and to work with Ukrainians to advance the rule of law, the protection of intellectual property rights and investor rights.

Ukraine is a young democracy, with its first generation of citizens born into an independent country just now reaching adulthood. If confirmed, I will use our public diplomacy tools to continue engagement with this emerging generation as they play an increasing role in society, government, and business. I would also look forward to working closely with the vibrant Ukrainian diaspora in the United States.

Ukraine and its people face critical choices in the months and years ahead. If confirmed, I will do all I can to support the men and women of the U.S. mission as they work with Ukrainians to further United States interests and advance Ukraine's future as an independent and prosperous European democracy.

I would like to thank you, Mr. Chairman, for the honor of appearing today, and I would be happy to address your questions.

[The prepared statement of Mr. Pyatt follows:]

PREPARED STATEMENT OF GEOFFREY R. PYATT

Mr. Chairman, Ranking Member, and members of the committee, it is a great honor to appear before you as President Obama's nominee to be the next United States Ambassador to Ukraine. I am grateful to the President, Secretary Kerry, and former Secretary Clinton for the confidence they have placed in me through this nomination, and if confirmed I will look forward to working closely with the Congress and members of the Foreign Relations Committee and its staff.

With the chairman's permission I would like to begin by introducing my wife Mary, with whom I have shared a 23-year Foreign Service career that has taken us and our children much further than either of us could have imagined. As a teacher at each of our overseas posts, Mary has done much to build good will and to demonstrate why the idea of America remains so powerfully attractive around the world.

If confirmed, I will continue to build our strategic partnership with Ukraine and will work to realize the potential we see in this relationship with bipartisan support. The U.S.—Ukraine Charter on Strategic Partnership signed by Secretary Rice, and the commission that Vice President Biden established to implement this charter, set high expectations for our bilateral ties. And if confirmed, my highest goal will be to sustain the effort to advance Ukraine on the path toward a modern European democracy.

One area of notable achievement in our bilateral relationship is cooperation on nonproliferation, in particular, the removal of all highly enriched uranium from Ukraine, as jointly pledged by President Obama and President Yanukovich at the 2010 Nuclear Security Summit. Ukraine's leadership on this issue stands as an example for countries around the world. Indeed, Ukraine's decision to remove all of its nuclear weapons and join the Nuclear Nonproliferation Treaty as a nonnuclear weapon state was one of the major accomplishments for European peace in the last 20 years.

I have a particular commitment to these issues of nuclear nonproliferation from my time as Deputy Chief of Mission at the U.S. Mission to International Organizations and the International Atomic Energy Agency in Vienna, and if confirmed I will

continue to encourage Ukraine's contributions as a global partner on nuclear security, nonproliferation, and disarmament.

The United States strategic goals for Ukraine have remained broadly consistent throughout more than 21 years of independence. We support Ukraine's sovereignty, independence, and territorial integrity, along with its desire to pursue its own political and economic interests. In keeping with the aspirations of the Ukrainian people, the United States promotes democracy, a market economy, and rule of law in order to encourage the development of a strong, prosperous, and European state. If confirmed, I will encourage the Ukrainian Government to act now to take advantage of this historic opportunity to pursue Ukraine's hopes for European integration and to meet the EU's conditions for signature of the EU-Ukraine Association Agreement.

In the past 3 years, the United States has expressed increasing concern about the political situation in Ukraine, especially regarding the selective prosecutions of opposition leaders. If confirmed, I will encourage Ukrainians to set high standards for themselves on human rights and rule of law, recognizing that democratic principles are in Ukraine's own interest, and central to U.S. policy. I will also support Ukrainian aspirations for free and fair elections that meet the bar they set for themselves in 2010, especially looking ahead to the 2015 Presidential election.

The U.S. commitment to supporting Ukraine is demonstrated by the size of our assistance program—approximately \$104 million last year, despite reduced budgets globally. Ukraine also hosts the largest Peace Corps program in the world. Our assistance promotes long-term progress in democracy and human rights, in economic development, health and energy independence, and in military and nonproliferation cooperation.

In recent years, Ukraine has become a valuable contributor to international peacekeeping. It currently has over 500 peacekeepers deployed across seven different U.N. peacekeeping operations. Ukraine is the largest contributor of military helicopters to U.N. missions. Ukraine also participates in NATO operations, including troops in Afghanistan and troops deployed to the NATO mission in Kosovo, and will soon contribute a ship to NATO's antipiracy mission off of the coast of Somalia.

This year, as chairman in office of the Organization for Security and Cooperation in Europe (OSCE), Ukraine has the opportunity to demonstrate its international leadership and to set an example for other countries. My current assignment as Principal Deputy Assistant Secretary has given me the opportunity to work closely with the OSCE to advance U.S. interests in Central Asia. In this regard, we have been encouraged by the role that Ukraine has played so far in its OSCE chairmanship, and if confirmed I will look forward to working closely with Ukraine to sustain this success.

Ukraine's economic prosperity depends on financial stability, promoting reforms and attracting foreign direct investment, especially in the energy sector, which is an area of growing U.S.-Ukraine cooperation. On energy security, U.S. companies are ready to invest in unlocking Ukraine's gas resources, and helping the country to achieve its goal of increased energy independence. But our trade and investment relationship should be bigger than it is, and the business climate in Ukraine has been weakened by corruption, a lack of transparency, and questions about the fairness of the courts. If confirmed, I will make it a priority to advocate on behalf of U.S. companies and to work with Ukrainians both in and out of government to advance rule of law, the protection of intellectual property rights, and investor rights.

Ukraine has a highly educated population, an active civil society, and tremendous natural resources. And Ukraine is a young democracy, with its first generation of citizens born into an independent country just now reaching adulthood. If confirmed, I will use all our public diplomacy tools to continue our engagement with this emerging generation as they play an increasingly important role in society, government, and business. I also would look forward to working closely with the vibrant Ukrainian diaspora community in the United States.

Through a diverse and challenging diplomatic career I've learned that there is no greater honor—nor greater responsibility—than representing the United States abroad. I have also learned the importance of clarity on American principles, and that modesty in the pursuit of U.S. goals can be appropriate, especially when it comes to countries that are still defining their place in the world.

Ukraine and its people face critical choices in the months and years ahead. If confirmed, I will do all I can to support the men and women of the U.S. mission as they work with Ukrainians to further U.S. interests and advance Ukraine's future as an independent and prosperous European democracy.

I would like to thank you, Mr. Chairman, for the honor of appearing today and would be happy to address your questions.

Senator MURPHY. OK.

Dr. Mushingi.

**STATEMENT OF TULINABO SALAMA MUSHINGI, OF VIRGINIA,
TO BE AMBASSADOR TO BURKINA FASO**

Dr. MUSHINGI. Mr. Chairman, Ranking Member, and distinguished members of the committee, I am honored to appear before you as the nominee for United States Ambassador to Burkina Faso.

With your permission, let me introduce my wife, Rebecca.

I very much appreciate the confidence and trust the President and Secretary of State have shown in nominating me for this position. I am equally grateful to receive this distinguished committee's consideration.

I believe that my work and travels across Africa have provided me with the experience needed to foster strong ties between our two countries. If confirmed, it would be a privilege to return to Africa to lead the efforts of our strong interagency team, which is committed to our country's increasing engagement in the Sahel region of West Africa.

Our strong bilateral relationship with Burkina Faso aims to build a shared and mutually beneficial commitment to, one, strengthening democratic institutions; two, fostering inclusive economic development; and three, promoting regional stability.

Burkina Faso faces serious economic challenges and a regional humanitarian emergency. The United States has provided humanitarian assistance for at-risk populations in Burkina Faso, including more than 50,000 Malian refugees.

A 5-year Millennium Challenge Corporation compact will help to reduce poverty through investments in roads, improved agricultural productivity, and primary education. Current USAID assistance is boosting food security, improving governance, and widening access to basic health care services. Our strong Peace Corps program is working in education, a community economic development, and community health programs.

Burkina Faso has been a valued partner in promoting regional security and combating terrorism. It has deployed troops to peacekeeping efforts in Darfur and Mali. Burkina Faso is also an active member of the Trans-Sahara Counterterrorism Partnership.

To date, the Burkinabe have played a positive role in mediating conflicts in Cote d'Ivoire, Togo, Guinea, and, most recently, in Mali. If confirmed, I will work to maximize the effectiveness of our security cooperation with Burkina Faso. I will, above all, strive to protect American citizens and interests, advance U.S. national security in the Sahel region, increase mutual understanding, reflect American values, and deliver results for the American people and Burkinabe.

Thank you, Mr. Chairman, for inviting me to appear before you today. I would be pleased to answer any questions you may have.

[The prepared statement of Dr. Mushingi follows:]

PREPARED STATEMENT OF TULINABO MUSHINGI

Mr. Chairman, Ranking Member, and distinguished members of the committee, I am honored to appear before you as the nominee for United States Ambassador to Burkina Faso. I very much appreciate the confidence and trust the President and Secretary of State have shown in nominating me for this position. I am equally grateful to receive this distinguished committee's consideration.

I believe that my work and travels across Africa have provided me with the experience needed to foster strong ties between the United States and Burkina Faso. If confirmed, it will be a privilege to return to Africa to lead the efforts of our robust interagency team, which is committed to the growing partnership between the United States and Burkina Faso, and our country's increasing engagement in the Sahel region of West Africa.

Our strong bilateral relationship with Burkina Faso aims to build a shared and mutually beneficial commitment to strengthening democratic institutions, fostering inclusive economic development and promoting regional stability. Working in partnership, the leadership of our Embassy and the Burkinabé government have successfully advanced some political and economic reforms in Burkina Faso that will serve our peoples well. If confirmed, I will continue this work to deepen our bilateral partnership through programs and policies that support multiparty democracy, sustainable development to address chronic food insecurity, good governance, and regional security.

In December 2012, Burkina Faso successfully held parliamentary and local elections, which were judged free and fair by the international community. We will build upon this momentum to further strengthen democratic institutions, including promoting transparent and accountable governance, respect for human rights, and adherence to constitutional rule.

Burkina Faso faces serious economic challenges. A serious drought in 2011 resulted in a regional humanitarian emergency, which further exacerbated high levels of poverty, malnutrition, and food insecurity. Since then, the United States has provided humanitarian assistance for vulnerable populations in Burkina Faso, including 50,000 Malian refugees the Burkinabé government is hosting in the north of the country. We will continue to support Burkina Faso's efforts to address long-term development challenges. A 5-year, \$481million Millennium Challenge Corporation Compact, which is on track to successfully conclude in 2014, will help to reduce poverty through investments in roads, improved agricultural productivity, land use rights, and primary education. Current USAID assistance is boosting food security, supporting economic growth, improving governance, and widening access to basic health care services. Our strong Peace Corps program has on average 150 volunteers working in education, community economic development, and community health programs.

Economic diversification and improvements to infrastructure and education will be critical to generating the sustainable growth Burkina Faso needs to tackle high poverty rates. The Burkinabé government has taken steps to combat corruption and improve the investment climate, including land tenure policy reforms supported under the MCC compact. If confirmed, I will continue to support progress on economic reforms and promote bilateral trade. I will also continue to work to leverage our assistance programs with those of other donors and the private sector to support Burkina Faso's continued transition to a market economy.

Burkina Faso has been a valued partner in promoting regional security and combating terrorism. It has deployed over 660 troops to the African-led International Support Mission in Mali (AFISMA) and has recently pledged to increase its commitment to 850 troops when the mission transitions under a U.N. mandate. Burkina Faso will also soon deploy its fifth battalion of peacekeepers to the U.N. mission in Darfur, all trained by the U.S. Government through the Africa Contingency Operations Training & Assistance (ACOTA) program. Burkina Faso is also an active member of the Trans-Sahara Counterterrorism Partnership (TSCTP) and a dedicated ally in efforts to combat violent extremism. To date, the Burkinabé have played a positive role in mediating conflicts in Cote d'Ivoire, Togo, Guinea, and most recently in Mali.

If confirmed, I will work to maximize the effectiveness of our security cooperation with Burkina Faso. I will above all endeavour to protect American citizens and interests, advance U.S. national security in the Sahel region, increase mutual understanding, reflect American values in interactions with the government and people of Burkina Faso and deliver results for the American people.

Thank you for inviting me to appear before you today. I would be pleased to answer any questions you may have.

Senator MURPHY. Thank you, to both of our witnesses.

I will begin with questions and then turn it over to Senator Johnson.

To Mr. Pyatt, let us explore the fulcrum point that we are going to be at, this November, when the Eastern Partnership summit is convened in Vilnius. And, as I said in my opening remarks, at least

I hope that there will be an association agreement extended to the Ukraine.

It has been made fairly clear to the Ukrainians that there are a number of steps that have to happen in between now and then. One of them may be a very specific step, that if Tymoshenko is not released, there may not be an association agreement extended. There was a series of releases of political prisoners earlier this year, which I think was an encouraging sign in the right direction, but, as I and many other people made clear to the Ukrainians, certainly not enough.

Can you just delve a little bit deeper into this question. You are going to—you know, assuming that we can move your confirmation forward as quickly as possible, you are going to have a short amount of time, clearly building on a fairly impressive legacy of the outgoing Ambassador, to try to convince the Ukrainians to make these choices. Some say that there is no way that Yanukovich will release Tymoshenko, that the threat to his political base is too great, and that even the association agreement is not enough.

I am interested in both your take, as you have gotten ready for this assignment, on the levers that are at play here, especially for the new Ambassador, to try to get the Ukrainians to make more progress, specifically with respect to Tymoshenko.

Mr. PYATT. Thank you, Senator, for the question.

Senator MURPHY. And just turn—

Mr. PYATT. Thank you, Senator, for the question, which is a critical one and goes to the focal point of United States policy in Ukraine today. I would offer a couple of quick thoughts in response.

First and foremost, I think it is useful to remember that the desirability of Ukraine's European future is one of the few issues on which there is broad political consensus in Ukraine today. Against the background of a very divided political environment, there is consensus between the government, the opposition, and, importantly, Ukraine's leading business organizations and business houses, that Ukraine has enormous benefits that will accrue to it from the signature of the association agreement, and, in particular, the deep and comprehensive free trade agreement.

I have been impressed that that Ukraine aspiration has been reiterated so forcefully by President Yanukovich, by Foreign Minister Kozhara, when he was here in Washington last month, and by a variety of other senior officials in the course of our bilateral consultations.

As you note, there are some conditions that are attached to that signature in November; most importantly, the end to selective prosecutions of political opponents, and, in particular, Mrs. Tymoshenko.

If confirmed, my intention would be to partner as closely as possible with our European partners, who are forcefully engaged on these issues. We have pursued a policy of direct engagement, as Under Secretary Sherman labeled it when she visited Kiev, in March. And I think that that approach of direct engagement has shown some progress, including, significantly, the pardon and release, in March, of former Interior Minister Lutsenko. I thought Senator Cardin got it exactly right in his statement on that deci-

sion. It was an important and hopeful step forward, but it was only one step.

Looking to the next couple of months and weeks, Ukraine needs to make a decision about how to approach that key condition along with the other conditions that the European Union has established. The United States will stand with Europe and stand with Ukraine as they proceed down that road. And certainly, if I am so fortunate as to be confirmed, it will be my highest priority, in my first weeks at the mission, to work with colleagues and to mobilize the diplomatic effort that Ambassador Tefft has been actively pursuing with his European counterpart to encourage President Yanukovich to walk through the door that the European Union is holding open and to seize the important opportunities that the association agreement represents, and the prospect that that holds for substantially lifting Ukraine's economic situation over time, riding on the back of the economic opportunities that the association agreement would bring along with it.

Senator MURPHY. One of the arrows in our quiver is the help that we can give the Ukrainians with respect to energy independence. And, in my second round of questions, I will have some questions for you, Dr. Mushingi. But, let me use my remaining time to explore that issue with you.

Clearly, there is another decision that they are going to have to make about the sale of their pipeline infrastructure to the Russians, in exchange for a new agreement on sales of energy resources coming in. This is potentially an asset worth somewhere in the neighborhood of \$30 billion. And if they get this deal wrong, it has pretty important fiscal implications for the Ukrainians and very important security consequences, from an energy perspective, for the entire region.

How do we help the Ukrainians get the best deal, moving forward, with the Russians? And then, from the larger perspective, what can we do to try to move them toward energy independence? I know we are doing a lot right now with respect to helping them develop some shale resources, but there is much more, I am sure, that we can do.

Mr. PYATT. Thank you, Senator. Critical question. I have been involved with a lot of countries, where energy politics are important, but I have never seen a place where they are as central as they are in Ukraine, as your question, itself, reflected.

I think, as we look ahead, Ukraine has a tremendous opportunity. You alluded to the shale gas revolution and the fact that you have two major U.S. international oil companies—Exxon Mobil and Chevron—both of whom are very close to production-sharing agreements with Ukraine. Ukraine has already concluded such an agreement with Royal Dutch Shell. I have talked to experts who have indicated that they believe that, within 6 or 7 years, Ukraine could achieve 50-percent energy independence, just based on the adoption of the correct policies. There are policy choices that Ukraine has to make which will be requirements for securing the sort of large investment in transfer of technology that our companies would be prepared to be engaged with. We are also working with Ukraine through our Strategic Partnership Commission. We have a working group on Energy, led by Ambassador Carlos

Pascual, that has been actively engaged on some of the other policy decisions that Ukraine needs to make to unlock its potential role as an energy hub for all of Europe.

The energy politics of the region are changing dramatically; in part, as a result of the shale gas revolution in the United States. Ukraine has begun reverse imports from Western Europe, of gas. It has enormous potential to serve as a leveler for pricing and gas allocation across Europe, if it makes the right policy choices.

The question of the pipeline, that you alluded to, is particularly sensitive, because it goes to one of the things which makes Ukraine's future role so possible, which is its participation in the European energy community. And I will look forward to working with our companies and supporting them, if confirmed, in order to make clear that everybody has a clear understanding of the implications for American investment that would be carried by a decision to sell off some or all of Ukraine's pipeline resources.

Senator MURPHY. I will continue on that on the second round, but, at this point, turn it over to Senator Johnson for questions.

Senator JOHNSON. Thank you, Mr. Chairman. I may be picking it up right off the bat.

Senator MURPHY. Yes. Go ahead.

Senator JOHNSON. What are those policy choices? You mentioned ownership of the pipelines. But, are there other policy choices that Ukraine has to move forward with?

Mr. PYATT. Thank you, Senator. I think—well, the most important one is the future of the association agreement. And I think one of the reasons that the Vilnius summit, that the chairman alluded to, is so important is because that will put Ukraine on a stairway toward closer relations with Europe, and it will bring with it a series of disciplines, in terms of policies, in terms of regulatory frameworks, that will have the effect of cementing what we all hope for, which is Ukraine's future as a democratic, rule-of-law society.

I am inclined to look at the Vilnius summit as less an endpoint than a way station, because even if what we all seek is achieved, and Ukraine and the European Union signs the association agreement, there will then have to be a process of ratification in Europe, there will be a process of implementation, including on issues important to Ukraine, such as visa-free travel. All of those will provide leverage for Europe and for the United States, working with our European partners, to continue encouraging Ukraine in the direction we seek.

I want to underline, as Vice President Biden said very eloquently when he was in Kiev, 4 years ago, the United States stands with the people of Ukraine. Our hope for Ukraine's future as a democratic European state is mirrored in every poll I have seen of Ukrainian public attitudes, but there are some challenging political decisions that have to be made on everything from pipelines, as the chairman alluded to, questions of energy pricing and gas pricing, which are part of the negotiations with the IMF, questions of how to structure the 2015 elections, and then, most crucially of all, the question of how to deal with the political opposition, which is embedded in the challenge of the concern that many have expressed,

including the U.S. Government at the senior-most levels, about the phenomenon of selective prosecutions.

Senator JOHNSON. In your opening comments—I am not sure I am using it as the exact quote, but you made it seem like it was universally accepted, that desire to move closer to Europe. But, at the same time, the—I am seeing a drift more toward Russia. What type of pressure is Russia being brought to bear—for example, not to join the association?

Mr. PYATT. Yes, a critical question. And I think I would answer it two ways, Senator.

First, if I can quote Vice President Biden again, he made very clear that we reject any notions of spheres of influence. And, of course, it is appropriate for Ukraine to have a deep and significant relationship with its large Russian neighbor. It is Ukraine's largest trading partner. But, we see Ukraine, over the long term, as being part of Europe. And that is a view which comes, not just from the Ukrainian people and the public opinion surveys that I have looked at, but we hear it from the highest levels of the Ukrainian Government, including President Yanukovich, Foreign Minister Kozhara, Prime Minister Azarov. And that is what we want to leverage off of. We want to work with Ukraine to achieve the future that the Ukrainians themselves have said they seek.

Russia, as you alluded to, has had this active conversation with Ukraine; in particular, regarding the question of the Eurasian Economic Union. It is an issue that I have watched carefully, because the Eurasian Economic Union is also active in the region of Central Asia, that I am presently responsible for.

It is interesting to me. One large Central Asian country that I have worked with closely is Kazakhstan. Kazakhstan is a member of the Eurasian Customs Union, but it has found that, since its membership, if you look at the data from the World Bank and others, the main benefits from that membership have accrued to Russia. Russia's exports to Kazakhstan have gone up. Kazakhstan's exports to Russia have been flat, largely owing to nontariff barriers and other obstacles. Meanwhile, Kazakhstan has found that it has to navigate around very high external tariffs that are imposed by the Customs Union.

I take it as a hopeful sign that President Yanukovich has chosen not to pursue membership in the Eurasian Economic Union, but is pursuing something short of observership, which is appropriate and which our European partners have said is completely nonthreatening to what we all seek, which is Ukraine's membership in the deep and comprehensive free trade agreement with Europe.

So, I think there is a debate on these issues. It is appropriate that there should be a debate on these issues in Ukraine. That is what we would hope for in a democratic society. But, what is interesting to me is, as I alluded to in my earlier response to the chairman, what is interesting is, across the board, every major political party and the major business and social and community groups have all said the same thing, which is, Ukraine's future lies in closer relations with Europe. And that is something that the United States should applaud.

Senator JOHNSON. OK. Well, we will come back to Ukraine later. We will bring Dr. Mushingi into the conversation, here.

Doctor, you had mentioned, in your opening statement, that one of your responsibilities is to protect Americans and Americans' interests in Burkina Faso. Can you tell me how many Americans are there and what those interests are that need to be protected?

Dr. MUSHINGI. Thank you, Senator. For now, we have about 1,000 American citizens in the Burkina Faso. That includes the official Americans working for the U.S. Government, but also private citizens.

As far as interests, this is one of those new economies, as we look around the world, and there's little known about it. But, we believe that—we have our top priority of strengthening economic growth, that we have an opening there, where the prosperity of the country will be attractive to some Americans, as well. And, for now, it is slow moving. But, we have at least 5 to 10 American businesses involved in Burkina Faso.

Senator JOHNSON. In what areas are there—I know there is gold. It is primarily an agricultural society, but is it—I mean, are there some real investment opportunities?

Dr. MUSHINGI. Yes, sir. The big one, as you said, is—the big one is agriculture. And, for now, cotton is the big, big leading export for Burkina Faso. But, gold comes second to that. But, as I said, this is an emerging economy, and therefore, everything that we can think about is open. Transportation, that is one area.

But, back to agriculture, where our policies—but also the policies of the country are in sync with what we want to do, it is really a wide, wide-open market—the agricultural equipment, if we can sell some agricultural equipment there. Our biggest program, which is the Millennium Challenge Corporation, the bulk of that money is going into improving agricultural productivity. And everything from equipment to seeds to transportation, just for the whole chain, is open.

Senator JOHNSON. OK. Thank you, Doctor.

Thank you, Mr. Chairman.

Senator MURPHY. Thank you, Senator.

We will now do a second round of questions, and I will continue with you, Dr. Mushingi.

Talk to us about the Malian refugee issue inside Burkina Faso today. About 50,000, as I understand, refugees are there today. Talk to you about the security concerns within the country, relevant to that large a population, what kind of conditions they are living in, and what role the United States has to play in trying to secure those camps and then trying to either bring those folks back home or integrate them into society, if they're going to stay.

Dr. MUSHINGI. Yes, thank you, Senator.

Yes, as I said, we have about—there are about—close to 50,000 Malian refugees in—within the borders of Burkina Faso, most of them in the north. And we are providing humanitarian assistance for those refugees, working with the Burkinabe Government. But, again, what we are trying to do is to maximize our aid, meaning—working with all the other partners, the civil society, the Burkinabe Government, but also other donors, such as France, in addressing the issue. This is one of those issues that transcends one country, and everybody has to work together.

We are working with the Burkinabe Government in training—on the security side—in training their local police to patrol the borders. That is to see who is coming in and who is not coming in. Once they are in the camp, our Bureau for Population and Migration and Refugees at State Department has already provided enough—have—has provided funding to work—to increase the basic health services within the camps—water, sanitation, and food—but also working with the Malians and the Burkinabe to register the Malian refugees who are in the country. And this, of course, as you alluded to, the agreement that was signed yesterday has—there is a provision for how—to see how these Malians can also continue to participate in the affairs of the country. And here we are talking about leading up to the elections.

Senator MURPHY. This is your first assignment in this particular country, but, of course, you have been actively engaged in watching and analyzing the region for your entire life. Talk to me specifically about President Compaore. Difficult to sort of figure out which direction he is heading in. He has, at times, been blamed as a destabilizing factor in the region, but, with respect to this new agreement, clearly he has, now, a renewed interest in bringing people together.

I know that you have yet to take up this assignment, but give a little window into President Compaore and whether he is sincerely committed, in the long run, to trying to be a peacemaker or whether we are still living with some of his reputation, in the past, as someone that caused, sometimes, more troubles than he solved.

Dr. MUSHINGI. Yes. Thank you, Senator, for your question.

President Compaore, for the last decade or so, has been a valued partner of the United States, but also has been engaged in helping us, especially with the regional issues. Regional stability in that region involves all the actors in the region, and President Compaore has taken a lead in that aspect, and we are grateful for his lead.

Going from our President's speech when he visited Africa a few years ago, the idea is for the Africans to take the lead in their affairs. We are there as partners and providing the help we can, and—but, they have to take the lead. And, on the West Africa side, in the grouping, the ECOWAS grouping, the economic grouping of West African nations, President Compaore has proven to be a leader, especially in mediating many of these conflicts.

To his success, we know that Cote d'Ivoire—he helped with Cote d'Ivoire; and, so far, peace seems to be holding. He helped in Guinea Bissau—in Guinea. He helped in Togo, leading to the democratic elections. And now he is taking this strong lead in Mali, and we are grateful for that, as well.

Senator MURPHY. As are we.

Mr. Pyatt, one additional question. Can—it is a simple one—can Ukraine achieve an association agreement with Tymoshenko still in jail? Is that the—there are—is that a bottom-line necessity in order to achieve an association agreement?

Mr. PYATT. Senator, I hope you will excuse me if I refrain from trying to predict, at this point, 6 months out, where we might be. I can say, Europe has been very clear about its conditions. The 27, soon to be 28, will have to reach a decision if we get to November and Mrs. Tymoshenko is still in detention.

What I can say is that, if I am confirmed, I will work as hard as I can, as closely as I can, with my European partners to make sure that the Ukrainian Government reaches the correct decision. And I say this, having listened very, very carefully to Senator Durbin's floor statement yesterday. And I think the one thing that came through to me in his very welcome intervention was the idea that this is not about an individual, it is about a principle. And the principle is how a democratic government deals with a political opposition when leaders are out of power. And I think—I—again, I am reluctant to speculate on where things will turn out. I know that the European Union Ambassador in Kiev has said some hopeful things recently about his aspirations, that there may be a compromise that can be reached. And again, the handling of former Interior Minister Lutsenko shows that there is a road that the Ukrainian Government can follow involving a pardon, involving the release of political opponents.

So, I know that is not a complete answer to your question, but I think it is probably about the best I can offer at this point. And again, if I am confirmed, you have my assurance that this will be at the very top of my list as I begin to find my feet with the Embassy team in Kiev.

Senator MURPHY. I did not expect you to give a complete answer. But, Senator Durbin wanted to be here today. I am one of the co-sponsors of his resolution calling for the release of Mrs. Tymoshenko. I appreciate the work that you will do on this.

Senator JOHNSON.

Senator JOHNSON. Thank you, Mr. Chairman.

Dr. Mushingi, a quick followup on the Mali refugee problem. How many refugees are there, currently?

Dr. MUSHINGI. The last number I was briefed on was about 50,000 Malian refugees.

Senator JOHNSON. You were talking about registering. Is the thought that they will be repatriated to Mali at some point in time, or are they going to be assimilated into the culture?

Dr. MUSHINGI. The thought is, first and foremost, for us—as you know very well the region and what is going on in that region—first and foremost, to know, at least to have an idea of, who is within the camp, and how to deal with the people who are in the camp. The next level is to work with the Malian Government. This agreement is an agreement that is leading to eventual elections in their country. To work with the Malians to see how those refugees can participate in the elections in their country. And, third, what any country that receives refugees hopes for, that refugees will be able to go back—

Senator JOHNSON. Return.

Dr. MUSHINGI [continuing]. To their own country.

Senator JOHNSON. OK.

Dr. MUSHINGI. But, as you know, it is a long process.

Senator JOHNSON. Thank you.

Mr. Pyatt, let us talk a little bit about the rule of law in Ukraine. Is that really what we are talking about, with political prosecutions? And is that shaking the confidence from the standpoint of U.S. investors—I guess I am glad to hear Royal Dutch Shell is concluding agreement; is that a hangup for, potentially, American

companies, when they see, on the one side, the type of law they have, when it comes to the political situation?

Mr. PYATT. Thank you, Senator. I am reminded of something Secretary of State Colin Powell used to say when he would talk to us about investment, that money is a coward. And, I think, from that perspective, it is very important that Ukraine provides an environment for investment for business that is transparent, that provides the assurance of fair adjudication of disputes.

The large energy investments that are on the horizon, in particular, I think can be real bellwethers in this regard, because these are very large American companies, which bring state-of-the-art technology, but also bring American business practices, in the best sense of the word, in terms of the Foreign Corrupt Practices Act, in terms of their preparedness to commit to long-term partnerships, but to commit to a long-term partnership based on honesty, based on the rule of law.

The United States, as a policy matter, our assistance programs have done a lot of good work in this area. Ukraine recently passed a new criminal procedure code that reflected a lot of work by the USAID mission in Ukraine. I know that the mission has been also engaged on the question of a new prosecutorial code. There is work to be done.

When I have been engaged with some of the Central Asian governments, I sometimes remind myself, these are countries that have only experienced 21, going on 22, years of independence. They are still figuring out a lot of the rules of the road. And I ask myself, you know, Where was the United States, 22 years after 1776?

But, there are opportunities that Ukraine has at this moment, and certainly we are prepared to work comprehensively—and I think our business community is, as well—if the conditions are right. But, as I said in my prepared statement, as I have looked at our economic and commercial relationship, it is much smaller than it should be. This is a country of 46 million people, with four EU member states on its border. I would like to see a much larger trade and investment relationship. But, that will only come if the conditions are right.

Senator JOHNSON. Obviously, Russia's using its oil and gas exports as pressure. Are we going to be equally as prepared to utilize investment and foreign aid, basically, to create those—you know, the positive pressure for Ukraine to do the right thing? Is that your intention?

Mr. PYATT. Critically important question, and, I think, especially in areas like energy. Again, if those experts I have talked to are correct and Ukraine achieves 50-percent energy independence on the basis of new investment in shale gas, on the basis of assistance that USAID is providing on energy efficiency, on the basis of other nonconventional sources, that has the potential to change the energy politics of the region in a positive way that reinforces what has been United States policy for more than two decades, at this point, which is United States support for the territorial integrity and independence of a democratic and European Ukraine.

Senator JOHNSON. Can you just speak a little bit in terms of political corruption, whether it is the wheat program, wheat exports,

and your thoughts on what we can do, in terms of bringing pressure to bear to minimize that problem?

Mr. PYATT. Again, Senator, critical issue. I am glad you raise it. I know the mission has been engaged, for instance, on the question of the extractive industry's transparency initiative. The Ukrainian Government has adopted a roadmap. It is pursuing membership in that initiative, which would have the effect of building confidence in the business environment and establishing rules of the road, which would benefit, not just foreign investors, European or American, or, for that matter, Russian, companies, but also Ukrainian investors and Ukrainian companies.

And, I think, again, this is part—as I look at it, and having spent much of my career working in countries that are in transition, which are developing their democratic cultures, this is part of that building process. And it has certainly been my experience that economic and commercial modernization and political modernization go hand in hand. There is a great deal that Ukrainians can be proud of, in terms of what they have accomplished since independence in political development. The 2010 Presidential elections absolutely met international standards, in terms of a free and fair electoral process. You have a flourishing civil society. You have got an active press. And you have a vibrant political opposition. But, that is a foundation on which Ukraine ought to build more.

As Secretary Clinton said in one of her comments not so long ago, Ukraine deserves better. And if I am confirmed, I want to work with the Ukrainian people, and especially the emerging new generation of younger Ukrainians, to achieve that more hopeful future.

Senator JOHNSON. If I can risk going over a little bit, I am almost reluctant to ask this question, but, in terms of political prosecutions—not necessarily always a black-and-white issue. And without speaking to any one particular case, I mean, how muddied is the water there? How many are pure—I mean, to what extent is it pure political prosecution versus there sometimes are not all angels? Do you know what I am trying to get at?

Mr. PYATT. I think I know exactly what you are getting at, Senator. I think I would answer it this way. I, of course, have not looked over any of the prosecutorial dossiers on this. I do not have the factual background on the specific cases. But, I do know, as—in fact, as Senator Durbin, who, of course, has the legal expertise and has looked at these issues, said, just yesterday, when a former Prime Minister is imprisoned on the basis of a political—of a legal judgment against a decision she reached while in office, that raises questions about rule of law, and it raises the specter of the allegation of politically motivated prosecutions.

So, that is, I think—let me leave it at that. Thank you.

Senator JOHNSON. OK. Well, I appreciate that.

Senator MURPHY. Thank you.

Let me just ask one last question to you, Dr. Mushingi. I wanted to ask a broader question, given your lifetime's work on United States/African relations. We spend a lot of time here talking about the investment that China is making in the African economy; in particular, their interest in natural resources. We, thankfully, have a renewed interest in our relationship with African nations, but

largely because of the tumult in northern Africa and a growing recognition of the security challenges that are presented to the United States in Africa. We do not talk enough here, I think, about the work that we can do with foreign aid and economic development assistance to try to keep up with the interest that China is showing.

Can you just speak for a second as to what, given your broad experience in the region tells you, should be United States policy with respect to economic investment in Africa? In particular, standing next to a pretty impressive buying spree from the Chinese over the last several decades.

Dr. MUSHINGI. Thank you very much, Senator, for your question.

I have dealt with that issue, the presence of the Chinese and other people in many of those countries. My last posting, which was Ethiopia, where I was Deputy Chief of Mission, we had to grapple with that issue, and deal with it. In fact, I had a chance to brief Senator Durbin when he came around to visit us. And one question was about the Chinese presence.

On Burkina Faso, one thing that I can say for sure is that we have the will of the people. They want to work with us. And we believe that investment in promoting economic growth and strengthening the rule of law are insurance against violent extremism, regional conflicts, but, more importantly, poverty.

Now, if confirmed, one of my priorities will be working with the Burkinabe Government to have a level of playing field so that everybody involved in the country, whether they are Chinese, French, Americans—that we can compete for the same opportunities, starting from the same level.

The Chinese interests in many of those countries or—is—can be, also, a—an opportunity for us that we can see where the—those companies are, and what they are doing. But, working with the local government, my priority, if confirmed, will be to ask and make sure that the American companies, as well, can—American companies can compete as well as those other companies from the other countries.

Senator MURPHY. Well, thank you.

Thank you to both of our witnesses. I think this has been a very good hearing. My only disappointment is that we did not spend more time talking about the very important Burkina Faso/Ukraine bilateral relationship. [Laughter.]

But, maybe we will save that for next time.

We have given members until Friday to submit questions. If there are additional questions, we hope that you will return answers to us with as much speed as possible. We are hopeful that we will be able to bring your nomination before this committee in the very near future, perhaps before our next recess.

And again, thank you both for appearing here before us. Assuming your successful confirmation, we look forward to working with you.

And, with that, this hearing is adjourned.

[Whereupon, at 2:55 p.m., the hearing was adjourned.]

ADDITIONAL QUESTIONS AND ANSWERS SUBMITTED FOR THE RECORD

RESPONSES OF GEOFFREY PYATT TO QUESTIONS SUBMITTED BY
SENATOR ROBERT MENENDEZ

Question. Last year, Ukraine removed the last batch of highly enriched uranium (HEU) from two of its remaining nuclear sites, bringing it closer in line with the commitments made by President Yanukovich and President Obama at the 2010 Nuclear Security Summit. This past May, Ukraine demonstrated its own long-term commitment to nuclear disarmament and nonproliferation when it opened a rocket engine airframes disposal facility to house the destruction of RS-22 (SS-24) missiles.

- How is the United States prepared to assist Ukraine as it enters the final stage of fulfillment of its international commitments stipulated under the Strategic Arms Reduction Treaty?

Answer. We consider Ukraine a key strategic partner on issues of nonproliferation, arms control, and nuclear security. Since becoming a non-nuclear-weapon state in 1996, Ukraine has continued to play a leading role in global efforts to reduce the threat of WMD, including by removing all highly enriched uranium from Ukraine in 2012.

Ukraine is financing the operation of a full-scale water washout facility to remove the propellant from Ukraine's remaining legacy SS-24 solid rocket motors. Through the Department of State's Nonproliferation and Disarmament Fund (NDF) and the Department of Defense's Cooperative Threat Reduction program, the United States assists with this project through three primary efforts:

- Construction of an empty motor case elimination facility to facilitate the safe, ecologically sound incineration of residual propellant and empty motor cases.
- Provision of a fixed-fee payment for the empty motor cases once Ukraine has removed the propellant.
- Support for the safe storage of the remaining solid rocket motors.

The United States is proud to work with and support Ukraine on these projects.

Question. The Tymoshenko prosecution and imprisonment has been a disaster for Ukraine and has hurt the country's reputation. The release of Lutsenko was a positive step, but how many other political prisoners do we know about in Ukraine? What sorts of conditions are they being held in and what are the prospects for their release?

Answer. The Department has engaged at the highest levels, including directly with President Yanukovich, to express concern about the politically motivated prosecution of opposition leaders, including former Prime Minister Tymoshenko.

As far as the Department is aware, Mrs. Tymoshenko is the last high-profile political figure still in detention as a result of a politically motivated prosecution. She currently faces criminal charges in three other cases and is under investigation for her alleged involvement in the 1996 murder of Yevhen Shcherban. Former Interior Minister Yuriy Lutsenko was released in April 2013, following a Presidential pardon. Former Deputy Minister of Defense Valeriy Ivashchenko was released on probation, but following Denmark's decision to grant him asylum, the Prosecutor General's Office has proposed to reinstate his original 5-year prison sentence.

The Department's 2012 Human Rights Report noted that prison and detention center conditions in Ukraine remained poor, did not meet international standards, and at times posed a serious threat to the health of prisoners. In the case of Mrs. Tymoshenko, she was transferred from prison to a hospital in April 2012.

Question. The administration recently identified Ukraine as a "Priority Foreign Country" (PFC) for its lax IP practices, and has now launched a section 301 investigation. This was the first time since 2005 that USTR had designated any country a "Priority Foreign Country." To quote USTR's 2013 Special 301 report, "The PFC designation is reserved by statute for countries with the most egregious IPR-related acts, policies, and practices with the greatest adverse impact on relevant U.S. products, and that are not entering into good faith negotiations or making significant progress in negotiations to provide adequate and effective IPR protection."

In its 2013 report, USTR specifically cited the rampant use of pirated software by the Ukrainian Government itself as one of the reasons for its PFC designation. Overall, estimates are that only 16 percent of the software utilized in the country is legitimate. Ukraine is certainly not the only country with a poor regime for protecting IP, but the Ukraine Government has demonstrated a lack of responsiveness in addressing these issues. The U.S. Government has been pressing the Ukrainians

on this issue for a long time, including signing an IPR Action Plan with the Ukrainian Government in 2010.

- Unfortunately, we have seen little progress in implementing this Action Plan. What do you plan to do once you have arrived in Kiev to ensure that this issue gets the attention it needs from the Ukrainian Government?

Answer. As you note, Ukraine was designated a Priority Foreign Country for failing to provide adequate and effective protection of intellectual property rights (IPR). Following this designation, Ukrainian Government officials announced their intent to cooperate fully with the United States to develop and implement a plan to push forward IPR protections.

If confirmed, I will make it a priority to advocate on behalf of U.S. companies and to work with Ukrainians, both in and out of government, to advance the protection of intellectual property rights. Working with Deputy Prime Minister Gryshchenko, I intend to hold the Government to its commitments to legalize the software on its computers, crack down on Internet piracy sites and pass legislation to protect copyright.

I will also seek to partner with Ukrainian business associations, industry, and other diplomatic missions to mobilize our shared interests in strengthening the Government's IPR protection effort. I also intend to continue the Embassy's efforts to raise awareness about how IPR protection benefits Ukraine's economy.

RESPONSE OF GEOFFREY PYATT TO QUESTION SUBMITTED BY
SENATOR CHRISTOPHER A. COONS

Question. This year, the United States Trade Representative (USTR) designated Ukraine a "Priority Foreign Country" (PFC) due to the Eastern European nation's disregard for the protection of U.S. intellectual property, particularly copyrighted works. This marks the first new PFC designation in 8 years. Ukraine's piracy rate for software alone is over 80 percent, and USTR noted the widespread use of pirated software by the Ukrainian Government as one of the reasons for the designation. The United States has pushed the Ukrainian Government to crack down on piracy for many years, including the signing of an IPR Action Plan in 2010. But Ukraine has failed to implement the bulk of the Action Plan, and little progress has been made.

- In your new role, how will you help to ensure that the Ukrainian Government more directly addresses American concerns over intellectual property right protections?

Answer. As you note, Ukraine was designated a Priority Foreign Country for failing to provide adequate and effective protection of intellectual property rights (IPR). Following this designation, Ukrainian Government officials announced their intent to cooperate fully with the United States to develop and implement a plan to push forward IPR protections.

If confirmed, I will make it a priority to advocate on behalf of U.S. companies and to work with Ukrainians both in and out of government to advance the protection of intellectual property rights. Working with Deputy Prime Minister Gryshchenko, I intend to hold the Government to its commitments to legalize the software on its computers, crack down on Internet piracy sites, and pass legislation to protect copyright.

I will also seek to partner with Ukrainian business associations, industry, and other diplomatic missions to mobilize our shared interests in strengthening the Government's IPR protection effort.

I also intend to continue the Embassy's efforts to raise awareness about how IPR protection benefits Ukraine's economy.

NOMINATION OF DANIEL R. RUSSEL

THURSDAY, JUNE 20, 2013

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

Daniel R. Russel, of New York, to be Assistant Secretary of State
for East Asian and Pacific Affairs

The committee met, pursuant to notice, at 2:24 p.m., in room SD-419, Dirksen Senate Office Building, Hon. Benjamin L. Cardin, presiding.

Present: Senators Cardin and Murphy.

OPENING STATEMENT OF HON. BENJAMIN L. CARDIN, U.S. SENATOR FROM MARYLAND

Senator CARDIN. The Committee on Foreign Relations will come to order.

I want to thank Chairman Menendez for allowing me to chair today's hearing in which we will consider Mr. Daniel R. Russel of New York to be Assistant Secretary of State for East Asian and Pacific Affairs.

Today I am pleased to welcome Mr. Russel, the nominee for the Assistant Secretary of State for East Asian and Pacific Affairs to our committee. I had a chance to be with Mr. Russel before my recent trip to Asia, and I want to thank him personally for the briefing that I received. And I know that he is well qualified to be the Assistant Secretary.

I first want to thank Mr. Russel for your willingness to continue to serve the public. I know that your family is here, and we want to thank your family as well because we know public service is a family sacrifice and we thank the members of your family for being willing to put up with your desire to serve your country.

Mr. Russel is a career diplomat since 1985; he was a major architect of the administration's rebalance to Asia policy as a member of the White House National Security staff since 2009.

As chair of the Subcommittee on East Asia and Pacific Affairs, I have been holding a series of hearings examining the rebalance to Asia policy. So I welcome the opportunity to discuss Mr. Russel's plans for the rebalance. Asia is tremendously important for America's economic growth. Yet, it faces serious challenges from nuclear proliferation to cyber attacks to climate change. I look forward to

hearing from Mr. Russel as to how he will tackle these challenges in his new position.

America's economic and national security interests are inextricably tied to East Asia's strength, stability, and security. The rebalance is a statement of our intent to more fully invest in the region, to support our allies and partners, and to contribute to the economic prosperity and stability of the region. I look forward to hearing what Mr. Russel's priorities will be for the rebalance in the coming years.

As we rebalance to Asia, we must emphasize how critical the universal values of human rights and good governance are for security and prosperity. I held my first hearing on what the rebalance policy means for democracy, good governance, and human rights to illustrate this point. These values should be integral to every element of our rebalance policy.

For instance, in my second hearing on security cooperation, we made it clear that our military engagement should support human rights, civilian control of the military, humanitarian assistance, and disaster relief. On economics, the Trans-Pacific Partnership, the centerpiece of our regional economic engagement, can move forward only if progress is made on labor rights and basic human freedoms. Good governance also recognizes the strains we put on our environment that threaten food, water, and energy security.

I welcome Mr. Russel's thoughts on how to undertake the rebalance not only through military and economic strategies, but by expanding human rights and good governance.

I can see opportunities for progress on many fronts. Closer engagement with our allies and partners and active partnership with multilateral organizations such as ASEAN are key to a successful rebalance. ASEAN and China are working toward a binding code of conduct to resolve the South China Sea conflicts, which is encouraging.

Myanmar's emerging democracy is also a bright spot. I have met with Myanmar's President and speaker and am impressed by their commitment to continue democratic progress. Cautious engagement has worked. I want to see it continued and reforms to succeed on all fronts, especially human rights.

There have been signs of movement on North Korea as recently as today with some reports. I welcome Mr. Russel's views on how we should proceed for security on the Korean Peninsula. During my visit to the Republic of Korea, I encouraged the Republic of Korea's President Park to pursue her vision of a Helsinki-like process to realize her goal of a Northeast Asia confidence-building dialogue and to continue her humanitarian approach to help starving North Koreans. I welcome your ideas, Mr. Russel, as to how to engage that separated families of two nations to move toward reconciliation, including through closer cooperation with China.

And that brings me to China and the stumbling block to our relations, human rights. During my visit to Beijing, I learned how extensively the government suppresses human rights. It is still not healthy to disagree with the government or you can end up in labor camps without trials for years. We must continue to have an honest, constructive dialogue with China on human rights, cyber security, and intellectual property. We want them to stop stealing our

ideas and come up with their own to become an innovative society that is a true partner.

We can partner with China in many areas, such as military-to-military relations and climate change. I was encouraged by President Obama's informal meeting with President Xi, which symbolized the kind of relationship building necessary to increase mutual trust. And with their agreement to reduce hydrofluorocarbons, climate change is a promising area for cooperation.

We must get our relations with China right in order to contribute to peace and stability in the region as two great Pacific powers.

As you can see, Mr. Russel, you have a full plate ahead of you, and you will not be bored in your new position.

And we look forward to your testimony. And with that, I will turn to Mr. Russel and just acknowledge that your full statement will be made part of our record. You may proceed as you wish and then we will engage in questions.

STATEMENT OF DANIEL R. RUSSEL, OF NEW YORK, TO BE ASSISTANT SECRETARY OF STATE FOR EAST ASIAN AND PACIFIC AFFAIRS

Mr. RUSSEL. Well, thank you very much, Mr. Chairman, for this hearing today, and thank you very much for your comments and thank you also for the leadership that you have shown since taking over the chairmanship of this committee on the Asia-Pacific account.

With your permission, I would like to begin by introducing— Senator CARDIN. Please do.

Mr. RUSSEL [continuing]. My wife Keiko, my wife of 31 years, who has stood by me and sacrificed so much for me and for my career, but also for my country. I would also like to introduce my two sons, Byron and Kevin. They, like their sister Emily, who is mercifully gainfully employed and therefore could not join us today, are what is called "Foreign Service brats." They have grown up bouncing around the world, changing countries, changing schools, changing houses, changing languages every 3 years, and that has represented a great sacrifice, as has their waiting for me late into the night and missing me on weekends. So it is something that I am very grateful to them for.

I appreciate your comments about families in the Foreign Service, Mr. Chairman. I think that my own family exemplifies a truth about the entire Foreign Service which is that the spouse and the children are really the unsung heroes. And I cannot thank them enough.

Mr. Chairman, Senator Murphy, I am really honored to appear before the committee today and grateful to President Obama and to Secretary Kerry for their confidence in nominating me for the responsibility of serving as Assistant Secretary of State for East Asia and the Pacific, which is a region vital to our national interests.

As a career member of the Foreign Service, I have devoted 28 years to serving America's interests abroad, largely in Asia. In 1985, my first assignment was to serve as the staff aid to the U.S. Ambassador to Japan who, at the time, was the former Senate majority leader, Mike Mansfield, and he took me under his wing. He and his wife became mentors to me and to my wife. He became a

lifelong friend, and to this day, he remains my hero, my role model, and my inspiration. His life exemplified honor, honesty, hard work, loyalty, modesty, respect for others. It is from him that I acquired a deep respect for this institution, and there is hardly a day that goes by where I do not think of him and miss him.

My public service also taught me the value of the State Department's greatest asset, which is the wonderful and talented and dedicated men and women who serve in Washington and who serve abroad. In my career, I have been entrusted with assignments that carried responsibility for management, for security, and for the welfare of American citizens, and if confirmed, I pledge to maintain high ethical and managerial standards. I will insist on the best possible security for our personnel, rigorous safeguarding of our national security information, clear and straightforward communications, including with this committee and with your staff.

Mr. Chairman, as you mentioned, President Obama has made a strategic commitment to rebalance our policy toward the Asia-Pacific region because America's prosperity and security are inextricably linked to that region. I have had the privilege of serving as the President's special assistant for Asia, and I know that his objective in the region is to create and ensure a stable security environment and advance a regional order rooted in economic openness, a peaceful resolution of disputes, and respect for universal rights and freedoms. Secretary Kerry has affirmed his strong commitment to this strategy, and if confirmed, I will vigorously pursue this approach, which is yielding important benefits to the American people and to the region.

I firmly believe that America's treaty alliances underpin our strategic rebalance to the Asia-Pacific region and are a unique attribute of American strength.

More broadly, I believe the United States has a strong interest in inclusive and transparent regional institutions, as you alluded to, where countries work together to confront common challenges. We want these institutions to help ensure a stable, rules-based environment for economic growth, to promote respect for international law, and to encourage the resolution of disputes.

I also recognize the importance of opening markets, of leveling the playing field, and deepening America's economic ties to Asia, and if confirmed, I will work closely with Congress and other stakeholders to promote U.S. exports and job creation, to advocate for U.S. firms, and to foster economic integration, and work to advance the administration's initiatives on energy, on the environment, and on climate change.

Similarly, with respect to China, as you mentioned, Mr. Chairman, if confirmed, I will work to encourage China to resolve key bilateral issues, to cooperate on regional challenges, such as North Korea and maritime security, and to play a constructive and responsible role in addressing global challenges. I will seek to impress on the Chinese Government that protecting universal human rights is in China's own interest, and I will press China to take steps to stop this cyber theft of American companies' intellectual property.

If confirmed, I will implement President Obama's policy of promoting a rules-based system in the Asia-Pacific, respectful of universal values, human rights, good governance, and democracy.

Mr. Chairman, you mentioned North Korea's situation. North Korea presents, through its nuclear and ballistic missile programs, a serious threat to the United States, to our allies, and to the global nonproliferation regime. If confirmed, I would actively pursue the verifiable denuclearization of the Korean Peninsula and work to block North Korea's efforts to proliferate or to blackmail its neighbors. I am also concerned about the well-being of the North Korean people, including those who have fled tyranny there.

In addition, the United States has a profound interest in the peaceful resolution of territorial disputes in the South and the East China Seas. It is essential that we uphold freedom of navigation and commerce, and if confirmed, I will support the U.S. policy of opposing coercion or the threat or the use of force, of reinforcing stability and adherence to international law, rules, and norms, and of preventing escalation or conflict.

I would like to close, Mr. Chairman, by reiterating my commitment to do everything in my power to advance American security, to advance American interests. And I am firmly committed to good coordination with the legislative branch, and if confirmed, I look forward to close cooperation with you and your colleagues and your staff.

So I thank you again for the opportunity to appear before the committee and for your consideration. I look forward to hearing your views and answering your questions.

[The prepared statement of Mr. Russel follows:]

PREPARED STATEMENT OF DANIEL R. RUSSEL

Chairman Cardin, Senator Rubio, and distinguished members of the committee, it is an honor to appear before you today as President Obama's nominee to be the next Assistant Secretary of State for East Asian and Pacific Affairs. I am deeply grateful to President Obama and to Secretary Kerry for placing their confidence in me with this nomination to serve the United States of America in the capacity of Assistant Secretary for a region that is so vital to our national interests.

I would like to take this opportunity to thank and introduce to the committee my wife of 31 years, Keiko, who has stood by me and sacrificed so much for me and for this country over the years. I would also like to introduce my sons Byron and Kevin who, like their sister Emily (who is gainfully employed and could not attend today), grew up as "Foreign Service Brats" moving from country to country, school to school. They, too, have made many sacrifices for me and tolerated my long hours at work and frequent travel. My family exemplifies a truth about the Foreign Service—the spouse and the children are the unsung heroes—and I can't thank them enough.

Mr. Chairman, this nomination is deeply meaningful to me because, as a career member of the Foreign Service, I have devoted 28 years of service to promoting America's interests abroad, largely in East Asia. After traveling to Asia as a 22-year-old and studying martial arts in Japan for 3 years, I returned home to New York and used my Japanese language ability in a multinational company. Over time, I recognized that whereas businesses throughout Asia were intensely interested in learning about the United States, back home too few Americans gave much thought to foreign affairs or to the necessity of defending our interests overseas. This concern motivated me to pursue a career of public service, and in 1985 I left the private sector, and proudly accepted an appointment as a United States Foreign Service officer. It is a decision I have never regretted. As my first assignment, I was posted to our Embassy in Tokyo, where I had the honor to work as the staff aide to former Senate majority leader and Senate Foreign Relations Committee chairman, Ambassador Mike Mansfield. Mike Mansfield took me under his wing, served as my mentor, and to this day is my role model and inspiration. His life exemplified

honor, honesty, hard work, loyalty, modesty and respect for others. As a former Senator he taught me the importance of teamwork between the executive and legislative branches. And as an ambassador who represented the United States under both President Carter and President Reagan, he taught me the value of bipartisan cooperation.

I have worked for other exceptional American diplomats and been given extraordinary opportunities to contribute to important foreign policy priorities. As Political Advisor for Asia under Ambassador Tom Pickering at the U.S. Mission to the United Nations from 1989 to 1992, I traveled widely in Asia and to the Pacific Island nations, I participated in the Cambodia peace talks, played a small role in the restart of our relations with Vietnam, and coordinated our successful efforts to bring the Republic of Korea into the United Nations as a full member state. As Political Unit Chief at our Embassy in Seoul, Republic of Korea, I participated in nuclear negotiations with North Korea and helped to negotiate the 1994 Agreed Framework. In later positions in the State Department, including as Chief of Staff to the Under Secretary of State for Political Affairs and during my service at the National Security Council over the past 4½ years, I have been granted the opportunity to contribute to the formulation of America's foreign policy and to work on some of the most pressing challenges facing our country. I very much hope for the opportunity to continue that work as Assistant Secretary of State for East Asia and the Pacific.

Mr. Chairman, almost three decades of government service have taught me to value the State Department's greatest asset—its talented and dedicated employees. The women and men of the State Department represent the best this country has to offer, and I am humbled to be considered for this position of leadership. If confirmed, I will take every opportunity to promote their role and skills, while relying heavily on their expertise, enthusiasm, and deep sense of loyalty to the United States. I care deeply about the State Department and will do my utmost to strengthen it as an institution. This includes pursuing resource requests for operations commensurate with the Department's mission and national interests and for foreign assistance funding that represents sound investments by the American people to promote our prosperity and security, as well as our values as a democratic nation.

Over the years I have been entrusted with responsibility for managing two of our embassies in Europe—in Cyprus and in The Hague—as Deputy Chief and Mission and Chargé d'Affaires. Those positions, as well as my service as Principal Officer in Osaka, one of our largest consulates in Asia, carried significant responsibility for management, security, and the welfare of American citizens. I have always placed a high premium on management excellence. If confirmed, I will emphasize proper and responsive management within the Bureau and at our posts abroad. I pledge to maintain high ethical standards, careful stewardship of resources, the best possible security for our personnel, rigorous safeguarding of information relating to national security, and clear and straightforward communications, including with this committee and its members.

Mr. Chairman, this is an extraordinary time of opportunities and challenges for East Asian and Pacific countries and for the United States. With the recognition that America's future prosperity and security are very much intertwined with the Asia-Pacific region, President Obama made a strategic commitment to rebalance our interests and investments in Asia. The President set out a clear, overarching objective for the United States in the region to sustain a stable security environment and advance a regional order rooted in economic openness, peaceful resolution of disputes, and respect for universal rights and freedoms. As underscored by Secretary Kerry during his trip to the region in April, the State Department remains committed to this U.S. strategic objective by building an increasingly active and enduring presence in the region. As Senior Director for Asian Affairs on the National Security Staff, I have worked to promote the United States increased focus on the Asia-Pacific in line with the President's strategic priorities and the national interest. I wholeheartedly believe that as a Pacific country with profound interests in the region, America should engage deeply throughout the region and provide inspiration, security, and leadership. If confirmed, I will sustain a "whole-of-government approach" ensuring that the efforts of the State Department are closely coordinated with USAID, the Defense Department, and other agencies. I will work with Congress, the business community, and nongovernmental organizations to build on and shape the important partnerships that promote our prosperity and security.

Over the past 4 years, our robust engagement with the Asia-Pacific through governments, institutions, and people-to-people programs has yielded positive returns politically, socially, economically, and militarily. I intend to sustain this focus and continue the Department's efforts to strengthen and modernize our alliances, en-

hance our partnerships with regional powers, support regional multilateral institutions, boost trade and investment, advance democracy and the respect for human rights, and strengthen ties between Americans and the people of the region. Mr. Chairman, I will touch briefly on some of these aspects.

First, I firmly believe our treaty alliances with Japan, the Republic of Korea, Australia, the Philippines, and Thailand remain the bedrock for our strategic rebalance to the Asia-Pacific. These enduring relationships represent a unique asset for the United States and an important multiplier of our influence in the region. Our alliances are grounded in history, shared values, and our common commitment to democracy, free markets, rule of law, and human rights. They provide the foundation for close cooperation that ensures regional stability and reassures our friends and regional partners of U.S. commitment to the Asia-Pacific region. I believe that our ties with our East Asian and Pacific allies are stronger than ever. If confirmed, I will work closely with colleagues at the Defense Department to ensure that our alliances are maintained and modernized in a way that promotes operational needs and our shared strategic goals, including new cooperative efforts in cyber security, space, counterpiracy, and counterterrorism.

Second, Mr. Chairman, beyond our bilateral relationships, I believe the United States has a strong interest in the further development of an inclusive and transparent regional architecture of multilateral institutions. The Asia-Pacific region is increasingly seized with the need to develop rules-based frameworks for dialogue and cooperation that will help maintain stability, resolve disputes through diplomacy, and ensure that countries can rise peacefully. If confirmed, I will work to strengthen regional structures, such as the Association of Southeast Asian Nations Regional Forum and the East Asia summit, so that these bodies effectively ensure countries work together to confront common challenges, provide a stable environment for economic growth, and act with respect for international law and rules.

Many of these forums are built on the underlying platform of the Association of Southeast Asian Nations, or ASEAN. For decades, ASEAN has embodied a framework for regional cooperation based on mutual respect and the renunciation of force. Not only does ASEAN provide a platform on which to build a regional architecture, but the countries of Southeast Asia are becoming increasingly important as their economic, political, and social dynamism grows. The increased U.S. focus on ASEAN in recent years mirrors our enhanced engagement with Southeast Asia as a whole, representing a “rebalance within the rebalance.” Southeast Asia’s strategic geography, population of over 600 million, economic growth, and its rapidly expanding middle class underscore its significance. If confirmed, I will ensure that we continue to bolster our ties with Southeast Asia, including with emerging centers of influence, such as Indonesia, where we are strengthening our relationship through the Comprehensive Partnership. This engagement includes strengthening efforts like the Lower Mekong Initiative, which supports narrowing the development gap in Southeast Asia, and regional mechanisms to improve human rights and the rule of law.

The United States has historic ties to the Pacific Island nations, our neighbors on our farthest, westernmost maritime boundaries and home to vast marine resources. As such, the Pacific Islands have an important role to play in our rebalance, and if confirmed, I will help to deepen and institutionalize our ties with these partner nations and with regional bodies such as the Pacific Islands Forum and the Secretariat of the Pacific Community. This includes working with the committee and others in Congress to implement the Palau Compact Review.

Third, Mr. Chairman, millions of U.S. jobs are tied to exports to the Asia-Pacific region, and that should increase through sustained U.S. economic statecraft with the growing economies of the region. Having seen the benefits of such high-quality agreements such as the U.S.-Korea Free Trade Agreement and our free trade agreements with Australia and Singapore, I recognize the importance of trade liberalization and deepening our economic relations with the Asia-Pacific.

If confirmed, I will work closely with Congress, USTR, U.S. stakeholders, and partner countries to advance an agenda that promotes U.S. exports and job creation, advocates for U.S. firms, fosters regional economic integration, and lays the foundation for robust, sustained growth at home and throughout the Asia-Pacific.

We are now committed to an even more ambitious project in the Trans-Pacific Partnership (TPP) trade negotiations. If confirmed, I will work in support of the successful conclusion this year of the TPP negotiations to develop a next-generation regional trade and investment agreement, which also promotes internationally recognized labor rights, environmental protection, and transparency.

In an effort to sustain momentum for achieving free, fair, open, and transparent trade throughout the region, if confirmed, I will ensure continued strong U.S. leadership in the 21-member Asia-Pacific Economic Cooperation (APEC) forum, a key

organization for addressing practical issues affecting U.S. consumers and businesses and establishing policies and standards that facilitate trade and investment in the region. Additionally, I will continue to advance Presidential initiatives on Expanded Economic Engagement with ASEAN and the U.S.-Asia-Pacific Comprehensive Energy Partnership, and examine new opportunities to work with the region on environmental protection and climate change issues.

Fourth, Mr. Chairman, over the last 4 years the Obama administration has placed great importance on the U.S.-China relationship and has made substantial progress in building a relationship that can address the challenges of the 21st century. As President Obama has made very clear, including at his recent summit in California with President Xi, the United States welcomes a stable, prosperous, and successful China that takes responsibility on the global stage commensurate with its stature. If confirmed, I will continue to build on the progress that has been made and further encourage China to take a constructive role in addressing global challenges.

Two themes have guided the U.S. approach to China. First is the recognition that the U.S.-China relationship will continue to have elements of both cooperation and competition. To prevent the emergence of old-style strategic rivalry, we must continue to reject the premise that a rising power and an established power are somehow destined for conflict. Instead, the United States and China must focus on fostering new patterns of practical cooperation on issues that matter to both countries. Second, the administration has stressed the importance of sustained and substantive dialogue across the range of issues in the relationship, including stronger U.S.-China military-to-military ties. Only by pursuing a whole-of-government approach in our dialogues can the United States and China create consensus around rules and norms while we remain committed to our values and interests. If confirmed, I will continue to impress upon the Chinese Government that protecting human rights is not only about China's adherence to international norms governing the protection of universal values, but it is also intrinsically in China's interest. This is because greater respect for fundamental freedoms will ultimately strengthen the U.S.-China bilateral relationship and contribute to China's continued peace, prosperity, and stability. On cyber-enabled theft, the U.S. has made clear that we need China to recognize the urgency and scope of this problem and the risk it poses—to international trade, to the reputation of Chinese industry, and to our overall relations. Beijing should take serious steps to investigate and put a stop to these activities. Finally, we need China to engage with us in a constructive discussion on acceptable norms of behavior in cyber space within the recently announced U.S.-China cyber security working group.

Regarding our friendship with Taiwan, the United States remains firmly committed to our one China policy based on the three U.S.-PRC Joint Communiqués and the Taiwan Relations Act. Under our one China policy, the United States maintains close unofficial relations with Taiwan, which is a thriving democracy and an important trading partner. Our friendship and robust commercial, cultural, and people-to-people exchanges with Taiwan have never been stronger.

Finally, Mr. Chairman, if confirmed, I will continue to promote and support a rules-based system respectful of universal values, human rights, and democracy in the Asia-Pacific. It is not a coincidence that virtually every country that threatens peace is a place where human rights are in peril. It is also not a coincidence that many of our closest allies are countries that embrace pluralism, tolerance, equal rights and equal opportunities. In short, there is a strong link between standing up for human dignity abroad and the national interests of the United States. As such, I will ensure our diplomats continue to monitor and promote the respect for human rights in bilateral and multilateral settings, and support the region's own efforts to foster vibrant, democratic civil societies.

Mr. Chairman, I want to make note of the historic reforms in Burma over the past few years. Burma, a country impoverished by decades of authoritarian military rule and self-imposed isolation, is undergoing an unprecedented political transition marked by a rapid expansion of civil liberties and human rights. These reforms have allowed us to open a new chapter in bilateral relations and expand our channels for assistance. We recognize that much more remains to be done. To ensure that this extraordinary transformation succeeds, I will push for continued reform, including advancing democracy and respect for human rights of all citizens, protection of ethnic and religious minorities, increased efforts toward national reconciliation, advancing economic development, and cooperation on nonproliferation. Burma remains important to U.S. interests as a demonstration of the benefits that can accrue to a nation that pursues a progressive path to change.

Having served extensively overseas, I believe passionately in the power of people-to-people ties and in the importance of our public diplomacy initiatives. Our public diplomacy programs introduce foreign audiences to the diversity of American culture

and society, showcase the role that civil society plays in the United States, and create the long-term foundation for understanding and collaboration. If confirmed, I will fully support expanding innovative educational and cultural endeavors. We will also continue to increase our bilateral dialogues and create multilateral dialogues on educational and cultural issues such as the U.S.-China Consultation on People-to-People Exchange. I will give priority to conveying American ideals through social media platforms in tech-savvy East Asia to connect us with young and diverse audiences.

Mr. Chairman, if confirmed, I will strongly encourage building greater inter-parliamentary connections, and toward that end I encourage Members of Congress and congressional staff to travel to the region and engage with the region's leaders and people. I will pledge the warm welcome and full support of our Embassies.

The Asia Pacific security landscape continues to evolve, and I am committed to ensuring that we are responsive to longstanding challenges as well as changing demands. North Korea's illicit nuclear and ballistic missile programs, proliferation activities, and flagrant violations of U.N. Security Council resolutions constitute a serious threat to the United States and its allies, the region, and the global non-proliferation regime. The United States remains steadfast in its commitment to the defense of our allies, and to maintaining peace and security in the region. If confirmed, I will work with absolute determination to pursue the full and verifiable denuclearization of the Korean Peninsula in a peaceful manner and to block North Korea's efforts to engage in proliferation and blackmail of its neighbors. We remain deeply concerned about the well-being and human rights of the North Korean people and join the international community in urging the DPRK to cooperate with the U.N. Commission of Inquiry regarding the widespread violations of human rights in the DPRK.

Territorial and maritime disputes have resurfaced as key challenges to peace and stability. Although the United States is not a party to the underlying sovereignty disputes, we have a profound interest in seeing that these disputes are managed and resolved peacefully and in accordance with international law and that freedom of navigation and commerce are upheld. If confirmed, I will fully support a U.S. diplomatic and security role that reinforces stability and discourages escalation of tensions.

Cyber space also poses unique and compelling challenges to our prosperity and security and that of the region. If confirmed, I will work hard to safeguard the intellectual property of our highly innovative companies and institutions from cyber theft and malicious cyber actors, as well as protect our critical infrastructure. We will work actively with both interagency and foreign counterparts to step up our efforts on this front, which includes sustaining our engagement with China.

Mr. Chairman, let me close by reiterating my fundamental commitment, if confirmed, to do all in my power to ensure that the United States shapes trends in this dynamic region in ways that benefit both our own interests and those of the region as a whole. I strongly believe that close coordination between the executive and the legislative branches will be crucial to this endeavor, and, if confirmed, I look forward to close cooperation with you, Mr. Chairman, and your colleagues.

Thank you, again, for this opportunity to appear before you. I am happy to respond to any questions you may have.

Senator CARDIN. Well, thank you very much for your testimony. You have already answered one of my questions about your cooperation with this committee and Congress I think three or four times during your opening statement. You reinforced your willingness to work closely with our committee, and you have already demonstrated that in your other capacities. So I thank you for that.

I am going to let Senator Murphy inquire first.

Senator MURPHY. Thank you very much, Mr. Chairman.

And welcome. Congratulations on this step forward. We hope to be able to move your nomination forward expeditiously.

I wanted to explore the interplay of our rebalance to Asia, both with respect to what is happening at the State Department through diplomatic channels, but also how that works together with our military rebalance. And I wanted to ask you to talk about this in the context of the maritime territorial disputes in the region. They greatly worry me. I know we have, in part, dedicated

more military resources and more ships to the region to make it clear that we are going to continue our historic commitment to maintaining open seas, but I also know that we have been encouraging for some of the regional forums to be used as a dispute settlement mechanism with great resistance from China.

And so I would love to hear your thoughts about the path forward and how the United States interplays with some of these maritime disputes but also how you see the interplay between the tools that we have on the diplomatic side and tools that we have on the military side specifically with respect to this question.

Mr. RUSSEL. Thank you very much, Senator, for that question. I think the juxtaposition of the two issues that you identify, which is the coordination of roles and resources between the security and diplomatic tracks and the challenge in the maritime space, is really a central challenge that faces the United States at the moment and in the years to come.

The essence of the President's rebalancing strategy has been to create a stable environment in a region that is critical to America's future prosperity and interests that is built on an existing investment by the United States in security arrangements that have allowed for the development and, frankly, the prosperity that the region has seen, but also to help overlay that with a structure and system of rules and norms that are respectful of and consistent with international law. Nowhere is it more evident or more important to us and to our friends and partners for the approach to territorial and sovereignty disputes in the Asia-Pacific region to be addressed in a peaceful and diplomatic manner in ways that are consistent with international law.

The United States is itself not a claimant. We have no interest in the territory itself, but we have a profound interest in the conduct of the claimants and other parties, including and particularly that of China. We firmly oppose coercion whether it is military coercion or economic coercion and the threat and the use of force.

As a key element of rebalancing, as you alluded to, the President has made clear to his military establishment that security in the Asia-Pacific region is a strategic priority for the United States, and I know that my colleagues in the Pentagon have planned and operated on the basis of that strategic guidance.

At the same time, the President has also made clear that there is an important role for the State Department on the diplomatic side in helping to build up the relationships between the United States and our allies. The rebalancing strategy has begun with modernizing our alliances. We have invested heavily in the development of the institutions in the region that are built around ASEAN, the Association of Southeast Asian Nations. And that, most importantly, includes the decision by President Obama to begin participating personally in the annual East Asia summit, which we see emerging as the premier forum for leaders to discuss security and political strategic issues, something that frankly they cannot do in any other forum because the only other major regional institution, APEC, is an economic cooperation organization. And I think that the President feels that we have made some headway on that front.

Senator MURPHY. But talk to me about China's interest in—if China wants to become a true superpower standing next to the United States, then they have to accept that they need to play by international norms and that they have to be a player in some of these regional dispute settlement forums. And thus far, we have not seen a lot of interest in them to do that.

Tell me about what pressure the Chinese feel to join in on some of these efforts and what we can do to try to encourage them to get there rather than continuing to sort of be a diplomatic rogue.

Mr. RUSSEL. Senator, the issue of China's engagement with ASEAN and with the other claimant countries diplomatically, as well as China's particular behavior on the seas, whether it is in Scarborough Shoal or the Second Thomas Shoal in the Spratlys and the Paracels in the South China Sea as well as in the East China Sea, is an issue that the President and top officials, including Secretary Kerry, have in fact raised very directly and very consistently with the Chinese, as well as in the fora with the ASEAN, such as the East Asia summit, where China is very much present and accounted for. We have had this discussion directly in bilateral and in multilateral fora with the Chinese.

And I think the Chinese similarly are in no doubt that America stands by our allies and that the existence of the Philippines, a treaty ally, as a competing claimant, our relationship with Japan, with whom China has a sovereignty dispute over the Senkakus in the East China Sea—these are issues that the Chinese understand directly implicate United States interests and will have an effect on the prospects for a United States-China relationship.

So I believe, Senator, that we have delivered this message consistently and clearly. I think we have reinforced the confidence of our partners and allies and given a constructive boost to ASEAN's effort to begin negotiations directly with China on a code of conduct. I think we have supported other diplomatic and recourse to international law on the part of some of the claimants, and if confirmed, Senator, I certainly will do everything in my power to try to lower the temperature, push claimants including China into a diplomatic track, and continue to warn them that the region in which China will flourish is a region of law, a region of order, and a region of respect for neighbors, not one in which there is space for coercion and bullying.

Senator MURPHY. I think the administration has been very clear on this point. I certainly did not mean to suggest that it has not been.

I am certainly very pleased at your nomination and look forward to working with you.

Thank you, Mr. Chairman.

Senator CARDIN. Let me follow up on the maritime security issues because I think Senator Murphy is right on target here. As you point out, we have treaty responsibilities with several of the countries that are involved in maritime disputes. There are also the shipping lanes that are important for commerce. When I was in Northeast Asia, the East China Sea disputes were mentioned by just about every public official I met with as being a major area of concern. Of course, in the South China Sea, there are very, very

serious issues that have already in some cases mushroomed into violence and could become more widespread.

Recently Vietnam and China agreed on a hotline to deal with fishing incidents. One could look at that as a very positive sign. After all, they now have a way of communicating if something develops, trying to cool it down rather than escalating it. But it is also of concern as to whether China is trying to circumvent ASEAN and other international forums where these issues need to be developed, particularly with a code of conduct.

What is your prognosis on how we can cool down the maritime issues and get the parties directly negotiating rather than seeing the loss of life and violence?

Mr. RUSSEL. Thank you, Mr. Chairman.

Before I begin, let me say that I think that your visit to Northeast Asia was very productive, and I thank you for taking the time to go there. And I will put in a plug. If confirmed, I am a great believer in the tremendous value of congressional delegations, and I can promise you that the East Asia-Pacific Bureau and posts will roll out the red carpet and open their doors not only to you, Senator, but any Member of Congress or any staff member who is willing to take the time to go because I think it is very important.

With respect to the claimants to the disputed territories in the South China Sea, it is our view that there should be a consensual, inclusive, collaborative process among the claimants, that it is unacceptable for any party, including China, to demand that only bilateral negotiations are possible or allowable. By the same token, we, not being a claimant, are entirely comfortable with bilateral discussions and negotiations being part of the mechanisms for addressing both some of these disputes and the question of how to appropriately share and manage the maritime resources, which are really a treasure that belong to the people.

Specifically, we think that the negotiations among the claimants should not only be friendly and diplomatic but should be undertaken on the basis of international law. And we have called on the claimants to clarify their claims in ways that are consistent with the Law of the Sea, specifically to base them on recognized land features. We, at the same time, think that a broader diplomatic process that gets at not the question of who owns what and whose border begins and ends where, but the issue of how nations behave in the South China Sea, in the common area, and particularly in areas of dispute is critically important and is urgent. And we have given ASEAN our full backing in their efforts to go beyond the declaration of conduct that they had agreed to in 2002, which is somewhat theoretical, to a practical code of conduct.

Now, China and ASEAN have held informal discussions. I understand that there are plans for meetings later in the summer at the ministerial level. Secretary Kerry will travel to Brunei at the end of this month to attend the ASEAN regional forum. And these are places where there is both an opportunity for China to make progress with ASEAN, but also in the case of the ASEAN regional forum and then in October the East Asia summit where President Obama will attend, an opportunity for senior U.S. officials to speak out clearly and constructively to urge not only adherence to the principles that I have mentioned but also to try to galvanize the

kind of diplomatic process that will address both the need for responsible conduct and the desirability of actual negotiations.

Senator CARDIN. And I think the United States has been very clear about our commitments on the maritime issues. I do not think we could leave any doubt because it is a matter of major security concerns to our partners in Asia.

When President Park was here, she mentioned developing a security dialogue organization for Northeast Asia. When I was in the Republic of Korea and also, by the way, in Japan and China, I talked about a regional security dialogue. And it was favorably thought about by all the parties.

One of the things that I think surprises most Americans is that we usually think of the Republic of Korea and Japan as being our two strongest allies in that region, and the relationship between those two countries could certainly use some improvement. They certainly have areas that still remain unresolved. A regional dialogue organization may help resolve some of these issues. And of course, dealing with China, dealing with North Korea—and they would also want to see the participation of Russia and the United States. I think there is a lot of promise to that type of organization to be patterned sort of after the Helsinki process.

Do you have a view as to whether a separate organization in Northeast Asia could be helpful?

Mr. RUSSEL. Thank you, Mr. Chairman.

And I am very familiar both with the Helsinki Commission and also with your role as the cochair here. I served for 6 years in Europe, and I saw firsthand the progress that the Helsinki Commission was able to galvanize and to drive on the European side. And I think that you are asking a question that is worth seriously looking into. And if confirmed, it is something that I would like to continue to discuss and to probe.

I also noticed and I saw, in fact, Mr. Chairman, in your remarks on the Senate floor earlier this month, your reference to this, that there are real analogies between the Helsinki process and the Northeast Asia Peace and Cooperation Initiative that President Park Geun Hye has put forward. I think it is worth looking and thinking at quite carefully. There are parallels.

There are likely to be some differences in Asia, and one outstanding question would be whether there is a role for the Helsinki Commission itself to help and to cooperate in the region or whether there should be a regional institution developed along those lines.

An associated question would be the balance between engaging on some of the softer issues that help build confidence, that help build trust. As I have heard President Park speak about her initiative, she has tended to favor that approach, starting more softly, so to speak. I know that the key six parties in Northeast Asia have come together repeatedly both in the six-party talks itself and in other subformats over the years in an effort to deal directly with security.

I think at its heart, the security challenge that faces all of us in the East Asia and Pacific region is manifested most vividly in the threat from North Korea.

Senator CARDIN. Of course, we have the six-party talks dealing with North Korea, and there have been some encouraging signs

just very recently that there may be a desire for North Korea to engage in discussions under the framework of complying with their agreements on a denuclearized Korean Peninsula.

The interesting part about a Helsinki-type process as it relates to North Korea is that we are all focused on their nuclear ambition and their military prowess. But as we heard over and over again from President Park and other South Koreans, that in order to have a stable Korean Peninsula, it is not just getting rid of the nukes. It is also dealing with the human rights conditions of the people that are living up in the North and economic opportunities for the people who are living in the North. So it is really a more comprehensive approach. And what the South Koreans seem to want is for North Korea to comply with their commitments for a nuclear-free peninsula but then to engage on ways in which there could be cooperation for the economic development and the basic respect for the rights by the government of the people of North Korea.

Mr. RUSSEL. I agree, Mr. Chairman. And in fact, at the risk of quoting you back to yourself, I remember watching your speech at CSIS earlier this spring, and you used a formula that really made an impression on me. You said governments need to understand that they will never achieve economic security or political security without respect for good governance and human rights. I think that is a critically important principle that applies, I am sure, globally but certainly in the East Asia region and nowhere more so than to North Korea.

President Obama has said very clearly that North Korea can never achieve the security, the respect, or the economic prosperity that it says it wants through its pursuit of nuclear weapons and missiles.

I think, Mr. Chairman, that the two issues you have identified, North Korea's egregious pattern of human rights abuses and its failure to feed its own people and its headlong pursuit of nuclear and nuclear missile capability that is highly destabilizing and threatening to the region—these are in a way two sides of the same coin. North Korea is choosing not to feed its people. North Korea is prioritizing, frankly useless—pursuit of a useless military capability against an imaginary threat at the expense of the kind of growth and economic development that it claims to want and that its people deserve.

I am deeply concerned about the plight of the North Korean people, as well as those who have managed to escape from tyranny, and I am particularly concerned about North Korea's continuing efforts to proliferate and to further develop nuclear and missile capabilities that we find so threatening. I have dealt directly with the North Koreans and the North Korean issue for more than 20 years in my position in the National Security Council. I have traveled to North Korea. I know these guys. If confirmed, Mr. Chairman, I will make the effort to accelerate the achievement of denuclearization, not just the theory, to actually help bring about a halt, a rollback, and an elimination of North Korea's nuclear program a top priority, and I believe in that effort, we stand a much greater chance of being able to address the human rights problems in that country.

Senator CARDIN. And a country that could help us achieve change in North Korea is China. I was very impressed by my meetings with the Chinese as to how sincere I believe they are in trying to have a change in direction in North Korea as it relates to nuclear weapons, as well as opening up their economy as China has opened up its economy.

You cannot help but notice tremendous change in China. You see entrepreneurs on the streets. You see more freedom than has been enjoyed in past generations, and you see a country that is clearly moving in a more aggressive way economically.

Having said that, as I said in my opening statement, the one-party, Communist-ruled country violates the basic human rights of its citizens. It is not good to disagree with the government too loudly in China. They still have these reeducation labor camps where you could be detained for an extended period of time because you disagree with the government. I was absolutely so disappointed talking to religious leaders as to how the government stops just about any organized religion from being able to carry out its normal assemblies. And then most of the people in the country are locked into where they are born. They do not have a chance to really benefit from the economic advancements of the country. You have the "have and have-nots."

So I guess my question to you is we need to develop a stronger relationship with China. We need their help on many issues, including North Korea, including the environment, including the fact that they are a member of the permanent council of the United Nations Security Council.

So how do we handle China, recognizing its strategic importance to the United States, but also our concern for basic good governance and human rights?

Mr. RUSSEL. Well, thank you, Mr. Chairman.

Clearly, China is a hugely important and hugely consequential country and relationship for the United States. Before I turn to China, let me say that I entirely agree that China has an important role to play in our efforts to deal with North Korea.

I believe also, Mr. Chairman, that Burma does as well. I think that the model, the example of Burma, an authoritarian leadership that made an affirmative decision to pursue a peaceful path to democracy and economic reform, stands as a tremendous role model for what North Korea should and can do. And I think that the strong support from the United States and from the rest of the international community in backing Burma's reform efforts answers the question that the North Koreans ask, which is how can we trust that if we make the right decision and take this path that you actually will support us.

With respect to China, Mr. Chairman—and again, thank you for expressing your views in advance of the meeting that President Obama and President Xi had at Sunnylands. I know that reached the President, and he appreciated it, as well as your other comments, including today.

The President has invested, since the day he took office, in attempting to build a balanced relationship with China. He has made clear that our interest is in seeing the peaceful rise of a China that is stable, that is prosperous, and that rises in a way that is con-

sistent with and reinforcing of the international and the regional rules and norms that are important to all of us.

So there is a lot of balance required in the Asia-Pacific more broadly but within the United States-China relationship specifically. There is a need for balance between the cooperative elements of our relationship and the competitive aspects of our relationship. And if confirmed, Mr. Chairman, one of my challenges will be to try to ensure that we are cooperating more, cooperating in a way that returns benefits to the American people and that in our competition, that we are sure that the competition is a healthy one.

We are looking for a model of practical cooperation with China that delivers benefits to both people and to the region in areas like climate change. And as you alluded to, President Xi and President Obama reached an important agreement on the hydrofluorocarbons, HFCs, and the Montreal Protocol, which will pay dividends down the road. And as you alluded to, North Korea is the other area where I think our positive cooperation is not only possible but essential, and both President Obama and President Xi committed to deepening both our dialogue and our cooperation in the effort to denuclearize North Korea.

Human rights is not a stand-alone issue, either in the region or in the United States-China relationship. It is something that we raise always at every level in virtually every meeting for several reasons, both of which you alluded to. First, these are universal values, not boutique American preferences. Second, although they are universal, they are deeply embedded in the DNA of Americans. This is who we are. These are our values. But third, as you pointed out, the economic prosperity, the creativity, the ability for China to continue to satisfy the demands of its citizens requires good governance. It requires a willingness to build and abide by rules and law. It requires a judiciary. It requires a thriving and a vigorous civil society, and it requires a respect for human rights.

We talk directly to the Chinese in various fora about the general principle. As I said in my statement, I genuinely believe that it is in China's interest to demonstrate their respect for human rights that is enshrined in its own constitution. We also raise individual cases. We raise problems such as the inability of the New York Times or Bloomberg to maintain Web sites that Chinese citizens can access. And we do this wanting a stable China. We do this respecting China's choices, but we do it in a conviction that not only are these universal principles, but that they are central to the prospects for a successful and enduring U.S.-China cooperative partnership.

Senator CARDIN. Well, you can add to the New York Times and Bloomberg that our U.S. consulate office was also blocked in China. So the cyber issues are real, and the access to the Internet, as well as cyber threats that we know we are moving forward on.

There was just reported today that in Singapore there is a haze over the entire area because of forest fires in Indonesia. And when I was in Beijing, I never saw the sun, and that was not because of clouds. There is a huge environmental challenge in Asia today.

The good news for dealing with it is that it is so visible; it is a problem that the government officials have to deal with because the public sees it every day. And it gives us a chance to really

make progress. As you pointed out, President Xi and President Obama did make significant progress during their meeting in California. There appears to be a real opportunity for countries that were not as engaged a couple years ago in international leadership, that they could very well provide the type of impetus necessary to move forward globally on climate change initiatives.

How do you see your role in regards to promoting that type of leadership?

Mr. RUSSEL. Thank you, Mr. Chairman.

I could not agree with you more that this is a principle concern and a priority not only for the United States, but for all the countries in the region. As you alluded to, the problem is forcing itself onto the top of the agenda of leaders who might prefer to turn a blind eye to them.

If I am confirmed, Mr. Chairman, I would like to pursue a number of the initiatives that are already underway that I think are extremely important in helping to address the challenge of climate and environmental degradation as partnerships, not just as rhetorical talking points.

One of them is an initiative that President Obama launched last year at the East Asia summit in Phnom Penh, Cambodia, the Comprehensive Energy Partnership, in tandem with President Yudhoyono of Indonesia and the Sultan of Brunei. This is an effort to promote renewable energy, green growth, low-emission energy sources, as well as to facilitate rural electrification that will be critical to the responsible growth of the Southeast Asian region.

Another is the Lower Mekong Initiative, which is a collective of the five major Mekong Southeast Asian nations with the United States and along with some other partners, where they are working to preserve forests, to preserve access to water and the riparian challenges given the many borders and the importance of water to the livelihood and to the ecological system there.

Another, Mr. Chairman, is the Extraction Industry Transparency Initiative. I am very proud that I have been able to help in a small way, including in cooperation with our USAID mission in Burma, with an effort to bring the Burmese up to the standards that would allow them to accede to this EITI because Burma, like its poor neighbors, Cambodia and Laos, along with Vietnam and Thailand, have phenomenal environmental resources to protect.

There is also, Mr. Chairman, in the South China Sea, as we discussed, a treasure trove of undersea and maritime wealth in the form of fish and coral, as well as hydrocarbons. Responsible management of those resources is a priority not only for the owners but for the people and for the region.

So on those issues, as well as on other environmental challenges like wildlife where there is a nexus between poaching of elephants in Africa, including by terrorist-related groups, and consumption of ivory in East Asia, if confirmed, this is an area where I think that the State Department, the Bureau, and I can make a difference. And I would like to work closely with the relevant posts with our ambassadors and our missions to promote coordination, communication, and partnerships to try to make some real and measurable progress on this issue.

Senator CARDIN. I want to mention one other area in regards to China that has recently come to light, and that is, China was downgraded in the State Department's Trafficking in Persons Report from a Tier 2 Watch List to the lowest rung, Tier 3, after 2 years on the Watch List. So this is moving in the wrong direction, and trafficking is one of our highest priorities.

Will you commit to making this a top priority, if confirmed, and work with the Chinese? This is an area where I think most countries really want to do the right thing. So it seems to me there is a way that we should be able to help China in dealing with this modern day type of slavery.

Mr. RUSSEL. Mr. Chairman, the short answer is yes. This is an issue that is important in its own right. It is important for moral reasons. It is important for development reasons regionwide but also in China.

I am aware of the fact that yesterday the trafficking in persons report was unveiled by Secretary Kerry and that I think as part of the automaticity in the Tier 2 Watch List system, that China was downgraded. My understanding is that there has been progress in certain areas by China with regard to the development of an action plan, that in the past year, there have been some favorable signs with regard to extradition or prosecution. But there is no question that the problem of trafficking in China and in some of China's neighbors is a very serious one, one in which the United States can be helpful and one in which, if confirmed, I would make best efforts to support.

Senator CARDIN. The administration's top priority economic initiative is the Trans-Pacific Partnership. That includes a variety of nations in our hemisphere and in the Asian region. It was mentioned a couple times in my visit to China they are not exactly sure what the TPP means as far as China is concerned. There is some concern that it is being used to try to contain China.

Could you just briefly review with the committee the priority placed on TPP and why?

Mr. RUSSEL. Thank you, Mr. Chairman. Yes.

The President has directed many of my colleagues, including the recently confirmed U.S. Trade Representative, Mike Froman, to spare no effort to work toward the completion of negotiations on the Trans-Pacific Partnership by the end of this year. The President believes that this is a high-quality, high-benefit trade arrangement that has immense economic as well as strategic value. And I know that our negotiators are hard at work on this. And if confirmed, I would like to contribute and participate in the effort to try to bring it to closure.

The TPP, as it is called, is not an exclusive arrangement. It is an inclusive arrangement. We foresee in the first instance that ultimately 11 members will accede, that if in fact Japan does join TPP, it will represent 40 percent of the world's GDP among its membership.

What I mean, Mr. Chairman, by saying it is not an exclusive economic and trade agreement is not only that the door is not closed eventually to additional countries joining it. Although our strategy is first things first. This is an ambitious undertaking and we want to do it and we want to do it right and in a timely manner. But

I mean not exclusive in the sense that it is perfectly consistent with the important work that we are doing elsewhere and through APEC or, for that matter, the other trade discussions that are occurring on bilateral or multilateral bases.

What we are looking for, though, Mr. Chairman, is a trade arrangement that will lower barriers to trade, that will increase access by American companies and exporters to foreign markets, that will support good labor practices and standards, that will have good environmental standards to it. We would like TPP to be the highest quality, most inclusive and transparent trade arrangement ever, and in doing so, we think we will engineer an outcome that will pay huge dividends to American companies, to American citizens, to promote jobs, and lend a real boost to the entire region.

Senator CARDIN. When we are talking trade, we always have a country's attention, and we have made tremendous progress with Vietnam. Yet, Vietnam still has significant improvements that need to be made on labor, on human rights, good governance, et cetera. We have the opportunity to make those advancements as we have their attention at the bargaining table. So I would hope that you in your new position would remind our negotiators that we will be expecting progress made on each of these fronts.

And it is not just the countries in transition. We also have problems with some of our close allies. Japan just recently joined the International Treaty on Child Abduction, but there are a lot of pending cases and their law, as I understand it, does not deal with already existing cases of child abduction. So will you help us and help the Embassy try to close and deal with as many of those open cases as we can to try to end this chapter in our relationship with Japan on child abductions?

Mr. RUSSEL. Thank you, Mr. Chairman.

First, with respect to Vietnam, I could not agree with you more. I think that the political security and economic relationship that we have with Vietnam is an important one, and certainly we are in the midst of negotiations with Vietnam over the TPP, Trans-Pacific Partnership, issues. But human rights is a hugely important dimension of our relationship and, frankly, a problem area. We are not satisfied and, in fact, unhappy about some degree of backsliding in Vietnam on human rights. And we believe that the TPP is one vehicle among many that we can use to help to address issues of labor, issues of the environment, promote economic and political reforms and respect for intellectual property. And if confirmed, that is something I will work on.

You alluded, Mr. Chairman, to the issue of Japan's belated accession to the Hague Convention on Parental Child Abduction. This is an issue that I have followed extremely closely, and I can attest that it is an issue that President Obama has raised directly with his Japanese counterpart. If confirmed, at the State Department this is an issue that I too will work on. The story has not ended for the parents of children who were taken back to Japan who will not be covered under the provisions of the treaty that Japan has just acceded to.

I am a parent, as you see. I am deeply, deeply sympathetic to the plight of these families. I know that the State Department has an important role in looking after the welfare of America's most vul-

nerable citizens, its children. And I know that the State Department is committed to working to ensure their welfare and to try to facilitate access by parents to children who are overseas, including in Japan. And it is a long way of saying, Mr. Chairman, yes, I will do what I can, should I be confirmed, in a new position to be supportive of them in this effort.

Senator CARDIN. Well, thank you for that response. These are difficult issues, and we appreciate you making them a priority.

I just want to observe that in my visits to Japan, the Republic of Korea, and China, I raised the Iranian sanction compliance in all those countries. The countries under your portfolio play a critical role in enforcing sanctions against Iran to prevent them from becoming a nuclear weapons state. And I know that President Obama has made that a top priority. And I just wanted you to know that we should use every opportunity we can, particularly with countries that we have very close relationships with, for example, the Republic of Korea. If they do not want to see a nuclear power on their peninsula, they could use less Iranian oil. They are doing a good job, but they could do a better job. So I think that needs to be something that we focus on; reducing the amount of oil purchased in Asia.

I know you agree on that, but I just thought I would put it into the record.

Mr. RUSSEL. Thank you, Senator.

Senator CARDIN. One last question. We have talked a lot about the rebalance. If you had to just quickly summarize what you would hope you would see during the next 3 years as far as what the rebalance would mean as far as U.S. relationships and participation in Asia, what would you like to see accomplished in the next 3 years?

Mr. RUSSEL. Thank you for the opportunity to address that question, Mr. Chairman, which is really close to my heart. I certainly am committed to sustaining the rebalance and to moving it to the next level, so to speak.

I would say that the three areas that I would propose to focus on with regard to rebalance, if confirmed, would be, first and foremost, the diversification of rebalance. The security element and the security underpinning of our Asia-Pacific strategy in our rebalance is hugely important. It will not go away. It must not go away. We must strengthen that. But there is more to America than hard power, and in fact, it is the economic agenda, the energy agenda, the education agenda, the values agenda, the people-to-people connection, the public diplomacy that I think, in the long run, will have the most significant and enduring impact in this young, thriving, and dynamic region.

I think also, Mr. Chairman, second, that I would pursue what I would call a rebalance within the rebalance. I think that our relationships in Northeast Asia are very mature and well developed. Of course, they will take a great deal of our attention, but I think that the Southeast Asia and Pacific areas are ripe for intensification of American engagement and involvement. I think the return on investment for the United States and the U.S. taxpayer in our programs, both operationally and in terms of foreign assistance, in Southeast Asia is absolutely huge. It is a region with a GDP in the

order of \$2.2-plus billion, 600 million—trillion dollars—600 million people within a few years, at least half of whom will meet the World Bank definition of middle class, a large proportion and growing proportion of which are young, under 30. This is an area where the United States can make great friends and great strides, including through educational and other forms of exchange. Already the educational exchange programs that we have bring huge benefits. I am told that the students who come to the United States from the Asia-Pacific region, including to your State and my residence State of Maryland, bring a value in the order of \$9 billion a year to the U.S. economy.

The third area, speaking of money, Mr. Chairman, is on resources sustainability and outreach. Typically the East Asia-Pacific Bureau within the State Department has been the least best funded of the regional bureaus. Now, by dint of hard effort by a number of people under the direction of the President, and in an era of fiscal austerity, we have seen in the fiscal year 2014 budget a 7-percent increase. I think that is important, and I pledge, Mr. Chairman, that I will fight for the right tools and the resources to allow the wonderful men and women working in the area and in the East Asian and Pacific Bureau to do their job and to earn the benefits for the American people that are there for us.

Senator CARDIN. I really do appreciate that answer. I agree with you. I think people-to-people ties are a critical part of our success in Asia, as well as business-to-business and military-to-military ties. I think a better understanding among our partners will be critically important, particularly as we develop stronger ties.

Your answers were complete. I thank you very much. And as I said in the beginning, you have been incredibly generous of your talent in serving our country, and we very much appreciate that and your willingness to continue to serve. The post that you have been nominated to is one of the most important posts in this country and will, I am sure, keep you very much engaged in some long hours and some restless nights. And we thank you for your willingness to continue to serve your country.

With that, the hearing stands adjourned.

[Whereupon, at 3:29 p.m., the hearing was adjourned.]

ADDITIONAL QUESTIONS AND ANSWERS SUBMITTED FOR THE RECORD

RESPONSES OF DANIEL R. RUSSEL TO QUESTIONS SUBMITTED BY SENATOR ROBERT MENDENDEZ

Question. What is your understanding of the “new model” or “new type” of U.S.-China relations that President Obama and President Xi discussed at their recent summit at Sunnylands? What are the constituent elements of this “new model” relationship? Can it lead to more productive interaction, or is it largely an attempt by China to gain concessions or deferential treatment from the United States?

Answer. Developing deeper ties between the United States and China is in the national interest of the United States and is important to safeguarding U.S. interests in the region and around the world. Earlier this month in California, President Obama and President Xi agreed to continue exploring ways to strengthen our overall political, economic, cultural, and military ties to develop a “new type” relations that are marked by practical cooperation, not strategic rivalry.

There are few diplomatic, economic, or security challenges that can be addressed without China at the table and without a broad, productive, and constructive relationship between our countries. If confirmed, I will use the diplomatic tools at my

disposal to advance the U.S.-China relationship and our cooperation on issues of importance to the American people at the same time as I work to strengthen our alliances and relations with countries throughout the region.

Question. Recently, the United States and China worked together to make a public pledge about the phase-out of hydrofluorocarbons (HFCs). What work is being done to work with China to phase out other short-lived climate pollutants such as soot and methane? What more could be done to foster cooperation with China to reduce these short-lived climate pollutants?

Answer. On June 8, the United States and China announced an agreement to work together to use the expertise and institutions of the Montreal Protocol to phase down the consumption and production of hydrofluorocarbons (HFCs). The administration is encouraged by China's efforts to address environmental issues and looks forward to working together with China's new leadership in bilateral and multilateral fora, including the Strategic and Economic Dialogue (S&ED), the Ten-Year Framework for Energy and Environment Cooperation, and the Major Economies Forum. The upcoming S&ED in July provides opportunities for bilateral discussions on environmental issues, including climate pollutants.

Question. The United States, China, Japan, and many other countries in the region are deeply committed to developing and further commercializing renewable energy technologies. How can we work cooperatively with these nations to provide greater access to renewable energy in the developing world?

Answer. At last year's East Asia summit meeting, President Obama announced the formation of the U.S.-Asia-Pacific Comprehensive Energy Partnership (U.S.-ACEP) to address energy issues across the entire Asia-Pacific region. The Partnership is designed to bring cleaner and more reliable sources of energy, as well as greater access, to the people of the Asia-Pacific region. The Department of State, Department of Energy, and other U.S. agencies are leading training and capacity-building efforts to address technical and policy constraints in order to promote U.S. energy investments and exports in the region. The United States has identified up to \$6 billion in U.S. export financing and investment credits for the Partnership, led by the Export-Import Bank and the Overseas Private Investment Corporation, to support sustainable power and energy infrastructure projects over 4 years.

The Department of State, the Department of Energy, and the U.S. Trade and Development Agency are supporting capacity-building programs through APEC and ASEAN as well as with our bilateral partners in the priority areas of markets and interconnectivity, natural gas, renewable and clean energy, and sustainable development. Successful implementation of these projects will improve the region's ability to be able to provide energy for its citizens and drive U.S. exports.

In 2012, the United States began work to establish a new energy security pillar within the Lower Mekong Initiative (LMI). The United States and its LMI partners are negotiating the final language of the pillar plan of action, which will be finalized at the LMI ministerial meeting July 1, and proposes work in regional power market development, power interconnection, energy efficiency and conservation, transparency and good governance, and energy research and development. Once the plan of action is approved, the United States will begin real, tangible projects that will create opportunities for U.S. businesses.

Bilaterally, the United States and China have worked together under the bilateral Ten-Year Framework (TYF) since its launch in 2008 to facilitate the exchange of information and best practices to foster innovation and develop solutions to the pressing environment and energy challenges both countries face. Agencies in each country implement the TYF, which consists of seven action plans, including electricity and energy efficiency. Specific to clean energy, the U.S.-China Clean Energy Research Center (CERC) facilitates joint research and development on clean energy technology by teams of scientists and engineers from the United States and China. It is a flagship initiative with broad participation from universities, research institutions, and industry.

The United States cooperates closely with Japan on a range of energy issues, including the development of clean and renewable energy sources, energy security, and the peaceful and safe use of nuclear energy. In 2011, U.S. agencies, including the Department of Energy, Department of State, Department of Commerce, and our national laboratories, established the U.S.-Japan Clean Energy Policy Dialogue, a forum for regular exchange among U.S. and Japanese experts. Through the Tohoku Green Communities Alliance, the United States and Japan have also collaborated to develop and deploy clean energy technologies in areas affected by the Great East Japan Earthquake.

If confirmed, I will continue the State Department's work on these endeavors.

Question. The 1979 Taiwan Relations Act and the Six Assurances of 1982 have contributed to the peace and stability of Asia-Pacific region for the past three decades. With the military balance gradually shifting in China's favor, what are your plans to implement the security commitment the United States has for Taiwan under this framework? As Taiwan is likely to retire some of its older fighter aircraft in the next 5 to 10 years, do you believe that sales of advanced aircraft are an important, next step in this commitment?

Answer. Consistent with the Taiwan Relations Act and the United States one-China policy, the United States makes available to Taiwan defense articles and services necessary to enable Taiwan to maintain sufficient self-defense. If confirmed, I will continue to support steps the administration has taken to fulfill its commitments to Taiwan.

With U.S. assistance, Taiwan is currently undergoing an extensive modernization of its F-16 A/B fleet, and we are aware of Taiwan's desire to replace older F-5, and perhaps Mirage 2000-5 fighters, with additional F-16 aircraft. No decision has been made about possible future sales of military aircraft to Taiwan.

If confirmed, I will continue to support U.S. policy to meet our commitments to Taiwan and assist Taiwan's maintenance of a sufficient self-defense capability. Doing so increases stability both across the Taiwan Strait and within the region.

Question. As you know, no Cabinet-level official has visited Taiwan in 13 years. During the 1990s, officials of Cabinet-rank visited Taipei virtually every 2 years of that decade. Given the fact that Taiwan is a partner of 23 million people, who contribute greatly to the global economy, and enjoy a healthy democracy, aren't visits from U.S. Cabinet officials overdue? Can we expect such visits to resume in the near future?

Answer. As an important economic and security partner of the United States, Taiwan has hosted many senior Obama administration officials in recent years. Deputy Secretary of Energy Daniel Poneman visited Taiwan in December 2011 to promote greater cooperation on energy issues. Under Secretary of Commerce Francisco Sanchez visited Taiwan in November 2012 to celebrate Taiwan's designation into the U.S. Visa Waiver Program. Most recently, Deputy U.S. Trade Representative Demetrios Marantis traveled to Taiwan in March of this year to participate in Trade and Investment Framework Agreement meetings. In addition, in September 2012, on the margins of the Asia-Pacific Economic Cooperation (APEC) Leaders' Meeting, Secretary Clinton met with Taiwan's APEC representative Lien Chan. If confirmed, I will continue to promote such senior-level engagement by U.S. government officials and will encourage the travel of senior administration officials to Taiwan.

Question. The administration is on the record as having stated that "the United States is a strong, consistent supporter of Taiwan's meaningful participation in international organizations." Additionally, the administration is on the record as having stated that "Taiwan should be able to participate in organizations where it cannot be a member, such as the World Health Organization, the International Civil Aviation Organization (ICAO), and other important international bodies whose activities have a direct impact on the people of Taiwan." As you know, my bill, S. 579, recently passed by the Senate, would direct the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial ICAO Assembly, the next meeting of which will take place this fall in Montreal.

- What specific steps has the administration taken—or is undertaking—to make Taiwan's participation a reality in time for this fall's meetings?

Answer. If confirmed, I will continue U.S. policy to support Taiwan membership in international organizations where statehood is not a requirement and encourage Taiwan's meaningful participation, as appropriate, in organizations where its membership is not possible.

U.S. goals for supporting Taiwan's participation include: enabling the people on Taiwan to comply with international regulations and safety guidelines, addressing transborder health issues, facilitating international travel, giving and receiving appropriate international assistance and advice, and assisting in regional capacity-building.

I support Taiwan's goal to cooperate with the International Civil Aviation Organization (ICAO). If confirmed, I will continue the State Department's work with the international community to promote Taiwan's meaningful participation in ICAO.

If confirmed, I will also ensure the State Department continues to instruct U.S. missions to encourage the U.N., its agencies, and other international organizations to increase Taiwan participation in technical or expert meetings.

Question. While the breadth of the relationship between the United States and China is impressive, I remain concerned regarding the Chinese Government's apparent lack of respect for universal human rights. Several recent cases, including that of Liu Xia, Gao Zhisheng, the treatment of the family of Chen Guangcheng, and the treatment of Falun Gong adherents, speak to both specific cases but also larger structural challenges.

- What is your thinking about how the United States can effectively increase attention and make clear to China's leaders that human rights cannot be pushed aside by security and economic concerns, but must be addressed through genuine change and support for the rule of law?

Answer. I believe the promotion of human rights is a crucial element of American diplomacy. If confirmed, I will work to promote universal values, such as transparency, rule of law, human rights, and good governance. Promoting the protection of human rights in countries around the world, including in China, is central to who we are as a nation. If confirmed, I will ensure that human rights will remain a central part of U.S.-China relations.

The U.S.-China Human Rights Dialogue is an important channel to discuss our key human rights concerns. If confirmed, I would strongly support the Dialogue and raise our human rights concerns directly with Chinese counterparts. I strongly believe respect for the rule of law and protection of universal human rights are critical to China's long-term prosperity and stability. If confirmed, I would raise cases of concern directly with the Chinese authorities, including the cases of Liu Xia, Gao Zhisheng, and the family of Chen Guangcheng, as well as issues of religious freedom and the treatment of Tibetans and Uighurs.

Question. What are your plans, if confirmed, for further developing dialogue between the United States and China on cyber security issues, and to address China's theft of U.S. intellectual property through cyber espionage, specifically?

Answer. Cyber security is one of the administration's top priorities. Cyber-enabled theft, emanating from China, of intellectual property, trade secrets and confidential business information is of paramount concern and has been discussed with China at senior levels, including by the President. If confirmed, I plan to ensure that the State Department continues to engage the Chinese on the cyber-enabled theft of U.S. intellectual property, including in fora such as the U.S.-China Cyber Working Group, which Secretary Kerry announced in April.

If confirmed, I will ensure that the State Department takes an active role in the development of the working group as a venue in which the U.S. Government can address U.S. concerns and have a constructive dialogue with China on cyber issues. The United States and China are among the world's largest cyber actors, and it is vital that our countries continue a sustained, meaningful dialogue and work together to develop an understanding of acceptable behavior in cyber space.

Question. The Asia-Pacific region has made considerable progress in recent years in developing functional problem solving architecture, including the EAS as well as through a deepening and thickening of ASEAN, ARF, and the ADMM, among other institutions.

- If confirmed as Assistant Secretary, what is your vision for how the United States can work to effectively further continued development of Asian architecture and institutions?
- What are your views on if and how the United States can support ASEAN centrality and unity through these efforts?

Answer. The United States firmly believes that regional institutions such as ASEAN, the East Asia summit (EAS), ASEAN Regional Forum (ARF), ASEAN Defense Ministers Meeting (ADMM), and Expanded ASEAN Maritime Forum (EAMF) have a leading role to play in shaping the future prosperity and stability of the Asia-Pacific. As the only ASEAN-driven institution that includes all key regional players and meets at the Leaders level, the administration supports the EAS as the region's premier forum for addressing political and strategic issues. As President Obama made clear at last year's EAS, these institutions are most effective when they produce concrete results for the people of the region. The United States is already helping the region manage three pressing challenges for the region: maritime security, disaster relief, and the linked challenges of protecting the environment and energy security. The United States is working with our regional partners to develop the Rapid Disaster Response Agreement concept, which would expedite the delivery of supplies, services, and personnel in the event of a natural disaster. The United States is also investing over \$60 million annually to support programs across the Asia-Pacific that combat climate change, as well as promoting a sustainable energy future through the U.S. Asia-Pacific Comprehensive Energy Partnership

(USACEP). We are supporting ASEAN's economic integration and trade liberalization efforts through the U.S.-ASEAN Expanded Economic Engagement (E3) initiative. We are also sponsoring joint capacity-building between ASEAN and the Asia Pacific Economic Cooperation (APEC) forum on topics such as food security and business ethics.

If confirmed, I will continue to expand U.S. efforts in support of regional institutions that manage these and other pressing challenges.

Question. What are your priorities for regional partner capacity-building, including in areas such as maritime domain awareness as well as new and nontraditional security issues such as global climate change?

Answer. The Department of State is actively engaged in capacity-building and the sharing and dissemination of information to meet traditional security challenges, such as terrorism and transnational crime, and nontraditional security issues, such as food insecurity, pandemic disease, and global climate change. The administration seeks an Asia-Pacific region in which countries are equipped with military and law enforcement capabilities that are aligned with U.S. interests and that enable them to adequately defend themselves from external threats, address territorial disputes peacefully, and deter provocation from a diverse array of state and nonstate actors. Our strategy emphasizes that countries adopt internationally recognized, U.S.-aligned best practices, standards and norms, particularly in the areas of maritime security, counterterrorism and law enforcement. If confirmed, I will support State Department's continued engagement on this strategy.

Maritime security capacity-building measures that support these goals include working with maritime police from Thailand, Cambodia, Vietnam, and Malaysia in the Gulf of Thailand to establish mutual objectives, common coordination mechanisms, operating procedures, and maritime domain awareness. The United States also support robust land-based and maritime police training programs in Indonesia and the Philippines, as well as an International Law Enforcement Academy in Bangkok which fosters transnational cooperation and multilateral training on countering wildlife trafficking and corruption.

Counterterrorism capacity-building is another example where the United States works with Thailand, Malaysia, and the Philippines, and Indonesia to strengthen their abilities to detect, deter, and respond to terrorist actions. The United States also works across the region to improve law enforcement's capabilities to investigate and prosecute complex transnational threats such as organized crime, terrorism, wildlife trafficking, trafficking in persons and illicit drugs.

The countries of the Asia-Pacific region also contend with a range of nontraditional security issues, such food security and health, which threaten regional stability and security. To respond to these emerging threats, the administration supports efforts to deepen partnerships and private sector engagement in regional agriculture to encourage and increase investments in regional agricultural development. We also support programs to develop strong democratic institutions that provide the framework for improved health outcomes, greater food security, and stronger livelihoods overall. We are tackling global climate change through reinforced disaster risk reduction efforts to mitigate its impact through integrated natural resource management, including biodiversity conservation, which provides climate cobenefits.

Addressing climate change at home and abroad is a priority for President Obama and for Secretary Kerry. The innovative programs the United States is making substantial progress in forging low-emission development pathways and strengthening resilience to climate change impacts, including through reinforced disaster risk reduction efforts and integrated natural resource management, including biodiversity conservation.

A key administration priority is achieving and maintaining a geographically distributed, operationally resilient, and politically sustainable military force posture to meet challenges such as territorial and maritime disputes, threats to freedom of navigation, and the heightened impact of natural disasters. We are pursuing this priority by deepening our ability to train and operate together with militaries in the region and improving our ability to respond collectively to a wide range of contingencies in the region.

If confirmed, I will continue U.S. efforts to support capacity-building measures that enhance both traditional and nontraditional security priorities as discussed above.

Question. As you know, over the last 4 years, the administration and members of the U.S. Congress have made the issue of international child abductions to Japan a priority. Yet to date, there has not been even one single criminally kidnapped child returned to their lawful home here in the United States, with the assistance of the Japanese Government.

- Should you be confirmed, what specific action can you take to create a more balanced level of reciprocity on this issue? Would you be willing to press forward on criminal extraditions? Can you promise an action plan for remedying these cases, if confirmed in this job?

Answer. I am grateful to the U.S. Congress for its consistent engagement on this issue. The administration welcomed the recent Japanese Diet ratification of the Hague Convention on the Civil Aspects of International Child Abduction, as well as the subsequent action to ratify and implement the Convention. Once fully implemented, this will give parents a civil legal mechanism for resolving abduction cases. If confirmed, I will work to ensure that the treaty serves as the legal framework within which we can address these issues.

Specifically, I will encourage the Japanese Government to use the Hague Convention to make necessary changes to domestic custody laws to help parents with existing cases to attain better access to their children.

The administration is committed to resolving all outstanding cases. The Department of State regularly updates “left behind parents” through a Japan-specific e-mail distribution list, global open houses, and in-person meetings, informing parents of media reports and public statements by government officials on abduction issues.

The Japanese Government has established a legal hotline to provide information about the Japanese legal system for “left-behind parents,” and it has set up a mediation program to assist efforts to arrive at an agreement between the estranged parents regarding access to their children. If confirmed, I will take steps to expand on these efforts.

One of the State Department’s highest priorities is the welfare of U.S. citizens overseas, particularly children, who are our most vulnerable citizens. If confirmed, I will fully support efforts to resolve these difficult cases.

Question. Maritime and territorial disputes in the East and South China Seas continue to cause friction and uncertainty in the Pacific. How, and if, these disputes are managed will serve as an important litmus test for the emergence of a peaceful, cooperative, and rules-based order in Asia. Given the enduring U.S. interest and commitment to the maritime domains of the Asia-Pacific, what are your views on the most effective policy tools available to the United States to assure the development of guidelines for the peaceful settlement of disputes through diplomatic and collaborative mechanisms, including the ASEAN-China Code of Conduct; to make clear our view that any disputed claims must be fairly arbitrated under international law, without coercion—and that the United States will stand by our treaty commitments?

Answer. The United States has a national interest in the maintenance of peace and stability, respect for international law, lawful unimpeded commerce and freedom of navigation in the South China Sea and East China Sea. If confirmed, I will support these principles.

I believe that the nations of the region should work collaboratively and diplomatically to resolve the various disputes without coercion, intimidation, threats, or the use of force.

With respect to the South China Sea, the United States does not take a position on competing sovereignty claims over land features. However, the administration will continue to voice strong support for both ASEAN and China to make meaningful progress toward finalizing a comprehensive Code of Conduct to establish rules of the road and clear procedures for addressing disagreements.

The administration has clearly expressed support for the use of diplomatic and other peaceful means to manage and resolve disagreements in the South China Sea, including the use of arbitration or other legal mechanisms, and that, in a rules-based system, states should be able to seek peaceful means of dispute resolution without fear of coercion or retaliation.

Through the ASEAN Regional Forum and other related forums, the United States will continue to advance norms of safe maritime behavior as well. Ensuring operational safety at sea for all vessels and the free, safe flow of commerce is vital for the entire international community.

Our alliance commitments are the cornerstone of our strategic rebalance. If confirmed, I will ensure that we continue our efforts to work with allies and partners around the region to ensure peace and stability on the seas.

Question. Senior administration officials have indicated in recent weeks that the United States would be willing to engage in discussions with North Korea, but that the administration is not interested in discussions for the sake of discussions, and

that for these discussions to happen North Korea needs to take concrete steps to demonstrate they are serious in meeting their commitments to denuclearization.

- What concrete measures does North Korea have to undertake to demonstrate their seriousness and commitment to denuclearization and to make it “worthwhile” for the United States to consider reengaging in the six-party or other diplomatic process? What is the level of coordination with the Republic of Korea and Japan as we consider how, when and if the United States engages with North Korea?

Answer. North Korea committed on numerous occasions, including in the September 2005 Joint Statement of the Six-Party Talks, to abandoning all nuclear weapons and existing nuclear programs. The United States and the international community must continue to hold North Korea to those commitments and to its international obligations under all relevant U.N. Security Council resolutions. To be authentic and credible, North Korea must demonstrate it is prepared to halt and ultimately abandon all of its nuclear weapons and programs. This means taking steps to come into compliance with its international obligations under U.N. Security Council resolutions and its own commitments.

The United States, Japan, and the Republic of Korea (ROK) have regular consultations to exchange views on a wide range of issues related to North Korea. If confirmed I would remain committed to maintaining close bilateral and trilateral coordination with the ROK and Japan, and continue to coordinate closely with its other allies and partners to press North Korea to choose a path leading to peaceful denuclearization.

Question. Can you comment on why the United States has chosen not to participate in the Regional Comprehensive Economic Partnership (RCEP)? What is your vision of how the Trans-Pacific Partnership and RCEP fit together in an open and inclusive regional economic and trade architecture?

Answer. The Trans-Pacific Partnership (TPP) is a key element of President Obama’s agenda for deepening U.S. economic engagement in the Asia Pacific. TPP is designed to address the concerns that our trade and investment stakeholders—businesses, workers, other groups—see as impeding regional trade and investment in the 21st century. TPP will make the regulatory systems of TPP countries more transparent and compatible, so companies can operate more seamlessly in TPP markets. The TPP will also include strong protections for workers, the environment, intellectual property, and innovation.

Research shows that an ambitious agreement like TPP will generate significantly higher benefits than a less ambitious agreement that excludes sensitive products and issues. The rapid expansion of TPP membership since the negotiation’s launch suggests the broad appeal of this high standard approach within the region. The TPP will be a living agreement and can serve as a platform for broader, high-standard regional integration and an eventual Free Trade Area of the Asia Pacific.

We recognize there are a number of different initiatives for liberalizing trade in the region and advancing regional economic integration, including the recently launched Regional Comprehensive Economic Partnership (RCEP) involving members of the Association of Southeast Asian Nations (ASEAN) and its six Free Trade Agreement (FTA) partners. We don’t view initiatives such as the TPP and RCEP as mutually exclusive. However, we believe the high-standard approach embodied by the TPP is the most effective way to open new markets and deepen regional economic integration.

Question. The Tibetan people continue to face challenges to their traditions, religion and culture through environmental destruction, the influx of domestic immigrants, and other causes. This seems likely to increase as Beijing develops infrastructure links to and within the Tibetan plateau.

- What can the administration do to advance protections for Tibetans in their homeland? Do you believe the Chinese Government has engaged in its discussions with representatives of the Dalai Lama in a good-faith manner?

Answer. I am concerned about the deteriorating human rights situation in Tibetan areas and, if confirmed, will raise U.S. concerns with Chinese officials. This includes our concerns over the increasingly severe government controls on Tibetan Buddhist religious practice, and the government policies that undermine the preservation of Tibetan language and that target Tibetan youth and intellectual and cultural leaders. If confirmed, I will ensure the State Department continues to encourage the Chinese Government to engage with the Dalai Lama or his representatives, without preconditions, as the best means to address Tibetan concerns and relieve tensions. I will also consistently raise concerns about Tibetan self-immolations and continue to urge the Chinese Government to address the underlying problems in

Tibetan areas and reexamine existing, counterproductive policies that exacerbate rather than resolve existing tensions. I will also continue to press the Chinese Government to allow journalists, diplomats and other observers unrestricted access to China's Tibetan areas.

Question. China has recently been named a Tier 3 nation under the State Department's International Trafficking in Persons Report. Will the administration place sanctions on China as provided for in the Trafficking Victims Protection Act?

Answer. I am concerned about human trafficking in China and, if confirmed, I will carefully review all our efforts to combat trafficking in persons in the region to ensure that we are taking all appropriate steps to address this issue. The Trafficking Victims Protection Act (TVPA), as amended, authorizes restrictions on assistance for countries ranked Tier 3 in the Trafficking in Persons Report, but the President may waive some or all restrictions if he determines that the affected assistance "would promote the purposes of [the TVPA] or is otherwise in the national interest of the United States."

Question. Cambodia will hold national elections on July 28, and the government there shows no sign of having this vote measure up to basic standards of legitimacy. Assuming nothing changes before then, will the administration adopt a "business as usual" approach to the Hun Sen regime that has run the country since 1985, or will there be significant changes in our engagement and efforts to achieve democracy in that country?

Answer. The United States has consistently and frankly raised our concerns about human rights and democracy at all levels in the Government of Cambodia. The United States has also emphasized that the lack of progress on these issues would be an impediment to deeper relations between our two countries. The upcoming Cambodian national elections will be a critical test of the government's commitment to strengthening the nation's democracy. The United States has urged the Cambodian Government to consider seriously the recommendations by the U.N. Special Rapporteur on Human Rights in Cambodia. We are monitoring the situation closely and will reassess as appropriate our assistance and/or engagement with the Government of Cambodia in light of how the election is conducted. If confirmed, I will continue to promote improvements in human rights and a credible, free, and fair electoral process that allows for the full and unfettered participation of all political parties and their leaders and the Cambodian people.

Question. The United States has committed to engage Vietnam in an annual Political, Security, and Defense Dialogue, and in recent years both sides have steadily increased the breadth of bilateral defense cooperation. Concurrently, Vietnam has increased its crackdown of freedom of expression, convicting 46 bloggers and pro-democracy activists so far this year.

- Why is the administration warming relations with a country that has so reprehensible human rights record? Why is the administration not adopting a "whole of government approach" to furthering human rights concerns in Vietnam?

Answer. If confirmed, I will ensure that advocating for respect for human rights continues to factor into our policy with Vietnam. The administration has conveyed to the Vietnamese leadership that the American people will not support a significant upgrading of our bilateral ties without demonstrable progress in human rights. Greater respect for human rights, including labor rights, will help ensure Vietnam's future economic, social, and political development, which is consistent with our forward-looking vision for the bilateral relationship.

The administration has made clear to Vietnam's defense and civilian leaders that for the United States to consider lifting the remaining restrictions on defense equipment exports, including on lethal weapons, there would need to be demonstrable, sustained improvement in the human rights situation.

In the April 2013 U.S.-Vietnam Human Rights Dialogue, the U.S. delegation raised the full range of our concerns about Vietnam's deteriorating human rights record and pressed for the release of political prisoners, including bloggers imprisoned for expressing their views online. The United States has also raised human rights concerns with the Vietnamese Government within the context of our overall defense relationship during the Political, Security, and Defense Dialogue, as well as through our normal diplomatic engagement.

Question. Can you please describe efforts to advance the political transition in Burma? How are you ensuring that the economic and political benefits of liberalization are not disproportionately benefiting retired generals and their cronies? Do you

believe that Burma's 2015 Presidential election would be legitimate if Aung San Suu Kyi is not able to take part?

Answer. The United States recognizes the important ongoing reform efforts underway by President Thein Sein, his government, Parliament, and key stakeholders among civil society to build a modern, peaceful, and democratic country. Building on a long legacy of support for the democratic aspirations of the Burmese people, the United States is providing assistance to strengthen and accelerate the political, economic, and social transition; promote and strengthen respect for human rights; deliver the benefits of reform to the country's people; and support the development of a stable society that reflects the diversity of all its people. If confirmed, I will continue to support these efforts.

The United States support for the reform efforts by the Government of Burma and for the people of Burma in numerous ways:

- The U.S. Government is assisting in improving electoral administration to ensure free, fair, and credible elections in 2015 and is promoting voter education, strengthening Parliament, supporting political party development, and promoting legal reform.
- U.S. assistance aims to address the root causes of long-running conflicts and ethnic tensions as well as provide substantial humanitarian assistance to conflict-affected and vulnerable populations in border areas, the interior of the country, and in the region.
- The United States encourages U.S. businesses to bring responsible investment to Burma to extend the benefits of economic reform to all of the country's people. The United States is supporting civil society and promoting programs to combat corruption and hold businesses accountable for respecting human rights in their operations, including labor rights.
- The United States recently announced a partnership with the Government of Burma to strengthen transparency and good governance in Burma's extractive industries sector. This initiative will provide technical assistance in support of the implementation of international best practices in oil and gas management and oversight, financial accountability, and safety and environmental stewardship.
- The American Center in Rangoon, which has the highest attendance of any American Center in the world, trains political, civil society and labor activists in democratic systems, and civic engagement.

The United States has carefully calibrated the easing of our sanctions in an effort to ensure that the benefits of economic engagement with the United States do not flow to bad actors. For example, the 2012 easing of the ban on new investment was structured to ensure that new investment with the Burmese military or with military-owned companies remains off limits for U.S. persons. Similarly, because of our continuing concerns about the military's human rights record, financial services transactions with the military for the provision of security services also remain off limits for U.S. persons.

To ensure U.S. companies undertake due diligence, the United States is requiring U.S. persons with more than \$500,000 of new investment in Burma to report on a range of policies and procedures with respect to their investments in Burma, including human rights, labor rights, land rights, community consultations and stakeholder engagement, environmental stewardship, anticorruption, arrangements with security service providers, risk and impact assessment and mitigation, payments to the government, any investments with the Myanmar Oil and Gas Enterprise (MOGE), and contact with the military or nonstate armed groups. The information collected will be used as a basis to conduct informed consultations with U.S. businesses to encourage and assist them to develop robust policies and procedures to address a range of impacts resulting from their investments and operations in Burma. The United States seeks to empower civil society to take an active role in monitoring investment in Burma and to work with companies to promote investments that will enhance broad-based development and reinforce political and economic reform.

The Department of the Treasury maintains a Specially Designated Nationals list, which includes individual and company designations of "bad actors," including those who engage in practices that violate human rights or who seek to slow or hinder reform progress. U.S. persons are prohibited from transacting business with these individuals and entities. This list, which is regularly reviewed and updated, is another tool to help marginalize those who obstruct Burma's reform efforts. Many of the estimated 100 individuals and entities on the SDN list are economically significant "cronies." If confirmed, I will support these efforts to ensure that the people

of Burma, not the “cronies,” benefit from economic engagement with the United States.

The United States is actively supporting Burma’s efforts to achieve free and fair elections. Article 59 of Burma’s constitution currently disqualifies opposition leader Aung San Suu Kyi from becoming President since her sons and late husband are foreign nationals; many have commented that this provision of the constitution appears specifically designed to block Aung San Suu Kyi from becoming President. The former military junta drafted the constitution of 2008, which reserves 25 percent of the seats in Parliament for uniformed military. The State Department has publicly and privately noted its concerns about these provisions and believes that reform of the 2008 constitution is essential to establishing a true democracy.

The Burmese Parliament, of which Aung San Suu Kyi is a member, has convened a constitutional review committee. That review may consider amendments that could potentially strengthen reform and democracy. If confirmed, I will continue to offer United States support and advocacy to help Burma successfully complete its democratic transition.

Question. The political changes in Burma also appear to have exacerbated some longstanding religious and ethnic disputes. Can you comment on the role of different branches of the Burmese Government in religious violence, including in Rakhine State, and in ethnic conflict, particularly with the Kachin minority. Does the Burmese Government have the ability and will to quell these clashes? What can the United States do to facilitate this?

Answer. Under President Thein Sein, the Burmese Government has entered into preliminary cease-fire agreements with 10 of 11 major armed ethnic groups. The Burmese Government engaged in constructive talks May 28–30 in Myitkyina, Kachin State with the remaining group that has not yet signed a cease-fire, the Kachin Independence Organization (KIO). These talks resulted in a seven-point joint agreement, which includes commitments to hold a political dialogue, undertake efforts to cease hostilities, and assist internally displaced persons. In addition, on June 20, the Burmese Government signed an eight-point agreement with the Karenni National Progressive Party in Kayah State, committing to a nationwide cease-fire accord. I am encouraged by the progress from those recent talks and look forward to continued progress in building trust and delivering lasting peace. As a fundamental matter, I support dialogue as the best and only way to address the root causes of longstanding conflict and to ultimately achieve lasting peace, justice, reconciliation, and equitable development throughout the country, including Kachin State.

I remain deeply concerned about the safety and well-being of internally displaced persons and other civilians in need in Kachin State and other conflict-affected areas. I am encouraged that on June 14, the government allowed a U.N.-led convoy aimed at providing humanitarian relief to access displaced persons in Kachin-controlled areas. This was the first time in nearly a year that the U.N. has been allowed to deliver food and household supplies to areas beyond government control, though local NGOs have been able to provide some assistance to these populations. If confirmed, I will continue to urge that all sides ensure unhindered humanitarian access to enable those in need to receive adequate food, shelter, and other urgent assistance.

I understand that the Burmese Parliament is also closely monitoring the peace process, and I encourage the Parliament to support efforts to ensure a sustainable peace. The Speaker of Burma’s lower House of Parliament, Thura Shwe Mann, visited Kachin State in February and met with internally displaced persons. I welcome the constructive efforts of all branches of the Burmese Government to work toward peace and reconciliation.

I am highly concerned about anti-Muslim violence, including in Rakhine State. Comments and actions by local authorities, including the “NASAKA” border force, have at times raised tensions and been deeply troubling. The Burmese Government must hold all perpetrators of violence accountable regardless of race, religion, or citizenship status. Senior Department officials, including Ambassador Derek Mitchell, have consistently raised U.S. concerns with officials at all levels of the Burmese Government about sectarian violence and the urgent need to end impunity by ensuring equitable accountability for those responsible.

I believe that the Burmese Government’s commitment to work toward a peaceful and prosperous future for the entire country is sincere. I welcome President Thein Sein’s public appeals for tolerance, religious freedom, and diversity. I encourage him and other national and local officials to actively promote tolerance and peaceful co-existence among all of Burma’s people. If confirmed, I will continue to work with

our interagency partners, Congress, and the international community to help support Burma's peaceful transition to democracy.

Question. On December 15, 2012, Lao civic activist Sombath Somphone was abducted at a police checkpoint in Vientiane. Since that time Human Rights Watch, Amnesty International, Members of Parliament within the region, and also this Congress have urged for an immediate, transparent investigation into his disappearance and whereabouts. The Department has also been engaged with Lao authorities to push for a resolution to this case.

- Can you provide an update on the investigation and whether the Lao authorities are fully committed to finding Mr. Sombath. In addition, have we offered any investigative assistance to the Lao authorities?

Answer. I am deeply concerned over the abduction of Sombath Somphone and Lao authorities' failure to share any meaningful details from their investigation into his disappearance. The Lao Government's June 7 press statement on Mr. Sombath added nothing of substance about his case. To date, Lao authorities have not offered members of Mr. Sombath's family or representatives from the international community an opportunity to review the government's surveillance camera footage that reportedly shows his abduction. The Department of State has repeatedly offered technical assistance to aid in the investigation, but the Government of Laos has not accepted our offer.

The refusal on the part of the Government of Laos to share meaningful details of its investigation into Sombath's case calls into question the Lao Government's commitment to uphold human rights and the rule of law and to engage responsibly with the international community.

Question. How do you plan to further develop and implement the Department's approach to "economic statecraft" in the Asia-Pacific region, including: promoting and supporting U.S. businesses abroad to expand exports; attracting foreign direct investment to the United States; establishing a level playing field for U.S. firms everywhere through regional and global trade agreements and institutions; preserving global monetary and financial stability; economic assistance to developing countries, opening markets, improving governance, increasing consumption of high-quality U.S. products, services, and know-how?

Answer. Through its economic statecraft initiative, the Department has prioritized moving economics to the center of our overall foreign policy agenda. Nowhere has this focus been more evident than in the Asia-Pacific. The United States is working hard with our partners in the region to spur closer economic integration, to increase trade and investment, and to advance our major goal of greater shared prosperity. This approach reflects an understanding that the prosperity of the United States is inextricably linked to the prosperity and growth of the very dynamic Asia-Pacific. Our bilateral and multilateral economic and commercial relations have comprised a central pillar of our overall effort to rebalance our policies in the direction of Asia.

The United States has established its economic leadership in the region by accomplishing ambitious, trade-oriented goals, including: the U.S.-Korea Free Trade Agreement, launching and maintaining strong momentum behind the Trans-Pacific Partnership (TPP), expanding economic engagement with ASEAN, and building on the success of our 2011 host year of the Asia Pacific Economic Cooperation (APEC) forum.

If confirmed, I will work to enhance the Department's already substantial contributions to key U.S. regional economic/commercial initiatives as well as to encourage the continued efforts of our missions in the region to assist U.S. companies in the field, and to promote inward investment into the United States.

If confirmed, I will work in concert with the Office of the U.S. Trade Representative and the Department's Bureau of Economic and Business Affairs to bring the TPP trade negotiations to a successful conclusion this year. The Bureau of East Asian and Pacific Affairs (EAP) will also continue to advance economic statecraft objectives through support of regional economic initiatives, such as the President's Enhanced Economic Engagement (E3) initiative, which aims to expand trade and investment ties with ASEAN members and help those not in TPP to prepare for future membership in high-standard trade agreements. As part of the U.S.-Asia Pacific Comprehensive Energy Partnership (U.S.-ACEP), the EAP Bureau will continue to work with the Department's Bureau of Energy Resources and interagency colleagues, including the Export-Import Bank of the United States (EXIM) and the Overseas Private Investment Corporation (OPIC), to encourage private sector involvement in energy development in the region. I will also ensure that we retain a leadership position in APEC for advancing trade and investment liberalization throughout the Asia-Pacific.

Equally important to these policy initiatives, if confirmed, I will work with our missions in the region to expand the already extensive assistance they give to U.S. companies on a daily basis in identifying new business opportunities and advocating on their behalf, whether to win bids for government contracts or press host governments to revise policies impede trade and investment. As part of these efforts I will work to ensure continued focus on deepening our economic engagement with China with the aim of promoting an economic relationship in which China demonstrates a commitment to the global rules-based trading system.

Question. What have been the main results to date of the rebalancing initiative? What parts of the initiative can be improved or modified? Are you comfortable that you and Secretary Kerry are on the same page in your conception of how the rebalancing strategy should be implemented going forward?

Answer. The administration's rebalance, which covers diplomatic, economic, development, security, and cultural initiatives, is rooted in the recognition that America's prosperity and security are very much intertwined with the Asia-Pacific region. As underscored by Secretary Kerry during his trip to the region in April, the State Department is working hard to implement this U.S. strategic objective by building an increasingly active and enduring presence in the region. I wholeheartedly support the Secretary and President's shared vision for the Asia-Pacific in which the United States engages deeply throughout the region and advances our values and national interests, security, and leadership. The State Department and the Bureau of East Asian and Pacific Affairs (EAP) have already taken tangible actions in support of that commitment. For example, the United States is providing new resources for regional efforts such as the Lower Mekong Initiative, which helps improve water management, disaster resilience, and public health. EAP is deeply involved with implementation of the U.S.-Asia Pacific Comprehensive Energy Partnership and the U.S.-ASEAN Expanded Economic Engagement (E3) initiative announced by President Obama last November in Cambodia. EAP leads U.S. participation in APEC, the premier forum for U.S. economic engagement with the Asia Pacific.

If confirmed, I will continue these programs and support the early conclusion of negotiations for the Trans-Pacific Partnership (TPP), which will deepen U.S. trade and investment ties in the Asia Pacific.

Question. Have the Office of Management and Budget (OMB) and the National Security Staff put out a budget data request asking agencies for more detailed information about their activities in and associated budgetary resources devoted to Asia? Has the administration circulated a priorities memo as part of the FY 2015 budget process that directs agencies to assign greater importance to Asia? How important is an integrated whole-of-government approach to the region to achieving U.S. objectives?

Answer. The Department of State works very closely with the Office of Management and Budget (OMB), the National Security Staff (NSS), and other key inter-agency partners such as Department of Defense and USAID, in preparing an integrated budget that supports whole-of-government strategy for the rebalance in the Asia-Pacific. The administration routinely provides whole-of-government budget guidance to agencies that include a strong focus on the Asia-Pacific region given the administration's rebalance policy. I firmly believe we need to lock in and sustain resources from around the U.S. Government, both in the short- and long-term, in order to advance the administration's ambitious rebalance agenda.

If confirmed, I look forward to participating in important interagency deliberations on the FY 2015 budget and other planning efforts to ensure that our resources are aligned with the administration's policy priorities.

Question. More than 2 years after the administration launched its rebalancing initiative, staffing in and funding for the State Department's East Asia and the Pacific (EAP) Bureau continue to rank among the lowest among the Department's six regional bureaus. Since the premise of the rebalancing is that Asia has become more important to U.S. national interests, is the EAP Bureau being given sufficient priority to carry out its mission?

Answer. As underscored by Secretary Kerry during his trip to the region in April, the State Department remains committed to building an increasingly active and enduring presence in the Asia-Pacific region. Despite an overall decrease in the State Department and USAID's budget, the overall FY 2014 budget request provides \$1.2 billion in funding for East Asia and the Pacific, which reflects a 7.1-percent increase from FY 2012 in support of the East Asia rebalance—the largest growth rate of any region. The FY 2014 budget is but one aspect of building our longer term budgetary efforts to advance the rebalance, which also include advancing our public diplomacy agenda and political dialogue.

If confirmed, I will advocate for staffing and funding levels appropriate to the important missions of the EAP bureau.

Question. President Park has called for creating a “new era” on the Korean Peninsula by building trust between North and South Korea. Despite the North’s recent behavior, she has indicated she wants to go forward with modest, incremental initiatives, including providing some humanitarian aid.

- Does the Obama administration support such moves? Would it consider also providing humanitarian assistance, including food aid? What, if any conditions, would the administration insist upon to ensure humanitarian aid is not diverted to the military? Are there any additional efforts to strengthen the U.S.–ROK alliance that you think are important and necessary to undertake in parallel with any efforts at North-South reconciliation?

Answer. The Obama administration is committed to working closely with the Republic of Korea (ROK) on the North Korea issue. This includes close coordination to press Pyongyang to demonstrate seriousness of purpose by taking meaningful steps to abide by its international obligations and its commitment made in the 2005 Joint Statement of the Six-Party Talks, to pursue the denuclearization of the Korean Peninsula. This also involves coordination on ways to engage with North Korea diplomatically and, over time, build trust in its willingness to cooperate in the pursuit of denuclearization and inter-Korean reconciliation.

The longstanding policy of the United States is that humanitarian assistance, including food aid, should not be linked to political or security issues. Decisions on U.S. humanitarian assistance are based on three factors: (1) the level of need in a given country; (2) competing needs in other countries; and (3) the ability to ensure that aid reliably reaches the vulnerable populations for which it is intended. If confirmed, I will continue to implement the Obama administration’s policy, including the prevention of diversion of food or other assistance.

On the 60th anniversary of the U.S.–ROK alliance, our partnership has never been stronger. The United States and the ROK maintain a comprehensive strategic alliance with longstanding mechanisms for cooperation on security issues. The United States is working to enhance our combined capabilities to deter North Korea, including for extended deterrence, and, if confirmed, I will support this effort. The United States continues to hold regular and close consultations with the ROK on North Korea issues, as illustrated by ROK Special Representative for Korean Peninsula Peace and Security Cho Tae-yong’s June visit to the United States.

Question. China’s assertive behavior toward the Senkakus has grown increasingly heated since summer 2012. U.S. officials have consistently stated that while the United States takes no position on the question of sovereignty, it is the U.S. position that Japan administers the Senkakus and that they are covered by the U.S. Mutual Defense Treaty.

- In the face of rising tensions and increasing Chinese activity in the area, has the United States taken the proper stance in the situation? How might the United States help Japan to resolve this dispute?

Answer. The consistent U.S. position on the Senkaku Islands is that while we do not take a position on the question of ultimate sovereignty over the islands, we call on all parties to manage their differences through peaceful means.

Japanese administration of the islands places them within the scope of Article 5 of the 1960 U.S.–Japan Treaty of Mutual Cooperation and Security. Our alliances are the cornerstones of our Asia policy, and we take our commitments under them very seriously.

The United States has a strong interest in ensuring the stability of a region that is an engine of global economic growth. To this end, the administration has engaged in sustained, intensive, and high-level diplomacy on this issue to encourage all parties to exercise restraint, avoid coercive or unilateral actions, and pursue dialogue to lower tensions and resolve differences.

We urge all parties to avoid actions that could raise tensions or result in miscalculations or incidents that would undermine peace, security, and economic growth. If confirmed, I will work to promote the reduction of tensions and risk, appropriate diplomatic dialogue among the concerned parties, and will firmly oppose coercive or destabilizing behavior.

Question. Japanese Prime Minister Abe has called for revising and/or reinterpreting Japan’s Constitution to allow Tokyo to participate in “collective self-defense,” moves that have been welcomed by U.S. defense officials in the past. Abe also has embarked on an ambitious economic agenda to revitalize the Japanese economy, including entering TPP negotiations.

- What position do you think the United States should take on Abe's proposals? What opportunities do you see for strengthening and deepening the U.S.-Japan alliance and economic partnership? How might Abe's initiatives, should he take them, hurt or help the rebalancing strategy?

Answer. The U.S.-Japan alliance is the cornerstone of peace and security in the region. We work in a partnership around the world to advance common values and shared interests. The United States and Japan are currently working together to strengthen the already excellent quality and capabilities of the alliance to ensure that it remains prepared to respond to the evolving security environment of the 21st century. If confirmed, I will be deeply involved in and supportive of our efforts to strengthen and deepen our alliance with Japan.

The administration believes it is for the Japanese people and their elected representatives to decide whether, when, and in what manner to revise or reinterpret their constitution. We are following developments closely as Japan considers a potential relaxation of its self-imposed restrictions on collective self-defense in order to assess the potential impact on our alliance and its roles, missions, and capabilities.

On the economic front, Prime Minister Abe's policies appear to be helping to reinvigorate the Japanese economy, and a healthy Japanese economy is good for both Japan and the United States. The TransPacific Partnership (TPP) is a key piece of the Japanese Government's reform efforts, as well as the economic centerpiece of our rebalance toward Asia.

If confirmed, I will urge the Abe government to follow through on its economic reform proposals, and will work closely with the United States Trade Representative and other U.S. Government agencies to pursue productive trade negotiations with Japan both within TPP and in parallel bilateral talks.

RESPONSES OF DANIEL R. RUSSEL TO QUESTIONS SUBMITTED BY
SENATOR BOB CORKER

Question. Despite our continuing efforts to increase "mutual understanding," the United States and China have very different views on a wide range of economic, security and human-rights-related issues.

- How best can the United States pursue deeper engagement with China while simultaneously articulating, clearly and publicly, an overall foreign policy strategy that advances America's core interests and values?

Answer. The United States welcomes a strong, prosperous, and successful China that plays a key role in world affairs and adheres to international standards. The administration is committed to pursuing a positive, comprehensive, and cooperative relationship with China. The United States advances our national interests and values and encourages China to adhere to international standards on human rights, trade, and other issues by clearly articulating U.S. principles and by promoting high-level, consistent, and constructive dialogue between the United States and China.

Key elements of the U.S. approach to economic relations with China have been to encourage China's integration into the global, rules-based economic and trading systems and to expand U.S. exporters' and investors' access to the Chinese market. Human rights issues also continue to be a central element of U.S. foreign policy and the U.S.-China bilateral relationship. The administration is committed to raising human rights issues directly with Chinese counterparts and to urging China to respect the rule of law and protect the human rights and fundamental freedoms of all its citizens.

Additionally, working with China on cyber security is one of the administration's top priorities. The U.S. Government is actively addressing cyber issues, including the growing concern about the threat to economic and national security posed by cyber-enabled theft of intellectual property and business and trade secrets. As Secretary Kerry announced in April, the U.S. Government established a Cyber Working Group with the Chinese to facilitate sustained and meaningful diplomatic discussions regarding cyber.

Question. In April 2013, Secretary Kerry stated that the United States wants "a strong, normal, but special relationship with China." Traditionally, the United States has reserved the term "Special Relationship" to describe ties with the United Kingdom.

- Do you agree with the Secretary's call for a new "special relationship" with China?

Answer. Developing deeper ties between the United States and China is in the national interest of the United States and is important to safeguarding U.S. interests in the region and around the world. I believe the importance we place on U.S.-China ties is consistent with, and in no way detracts from, the continued importance and strengthening of our existing partnerships and alliances.

There are few diplomatic, economic, or security challenges that can be addressed without China at the table and without cooperation between our countries. Earlier this month in California, President Obama and President Xi agreed to continue exploring ways to strengthen our overall political, economic, cultural, and military ties. If confirmed, I will use the diplomatic tools at my disposal to advance the U.S.-China relationship and our cooperation on a range of issues at the same time as we work to strengthen our relations with countries throughout the region.

Question. How can the United States more effectively press China to enforce international rules regarding intellectual property, which continue to negatively impact and undermine key sectors of the U.S. economy?

Answer. Despite greater protections being incorporated into the Chinese legal system, American and other companies lose billions of dollars each year due to intellectual property (IP) theft in China. Piracy and counterfeiting levels in China remain unacceptably high, harming U.S. and Chinese consumers and enterprises. Stronger enforcement mechanisms and efforts are still needed.

I believe the United States must urge China to: (1) continue the work of the permanent State Council-level leadership structure to focus IP enforcement efforts at all levels of government on IP theft, including the growing problem of theft over the Internet; (2) recognize the importance of trade secrets protection to the health of China's overall IPR regime, which is essential to promoting innovation and economic growth; (3) achieve measurable results on software legalization, both in government and in enterprises; and (4) make intermediaries such as online content hosts liable for the infringement that their sites facilitate.

If confirmed, I will ensure that the protection of intellectual property rights through robust laws and enforcement remains a top priority in our engagement with China. Copyrights, trademarks, patents, and trade secrets must have adequate safeguards in China to protect the ideas of American entrepreneurs and the jobs of American workers.

Question. If confirmed, what role do you envision for the EAP Bureau in the recently established U.S.-China cyber working group?

Answer. Cyber security is one of the administration's top priorities, and cyber-enabled theft of trade secrets and confidential business information emanating from China is of particular concern and has been discussed with China at all levels of government, including by the President. The State Department, including the Bureau of East Asian and Pacific Affairs (EAP) and the Office of the Coordinator for Cyber Affairs (S/CCI), plays a key role in these discussions, and, if confirmed, I envision this role continuing for EAP.

To have a meaningful, and constructive dialogue with China on this issue, Secretary Kerry announced the establishment of the U.S.-China Cyber Working Group in April. The State Department will lead the working group, and if confirmed I will ensure that the EAP Bureau, in close cooperation with S/CCI, will continue to play a central role in shaping the development of the working group.

Question. During the recent Obama-Xi summit in California, National Security Advisor Tom Donilon said that "President Xi indicat[ed] that China was interested in having information on the [Trans-Pacific Partnership] process as it went forward and being briefed on the process and maybe setting up a more formal mechanism for the Chinese to get information on the process and the progress that we're making with respect to the TPP negotiation."

- What is the administration's position on sharing such information with a country that is not a party to the TPP?
- Do our TPP allies support China's request?
- Do you view China's request to be informed on TPP's progress as a sign Beijing is interested in joining the regional free-trade agreement?
- What steps would China need to take in order to obtain approval to eventually join TPP discussions or a finalized agreement?

Answer. The United States is working hard with our TPP partners to conclude the TPP negotiation as expeditiously as possible. We and our partners believe our work in TPP will be important not just for current and future TPP members, but for the trade and investment environment throughout the Asia-Pacific. The adminis-

tration welcomes China's interest and that of others in the region in learning more about TPP.

The United States and its TPP negotiating partners have stated that TPP is open to Asia-Pacific economies that are prepared to adopt its ambitious commitments and eliminate trade and investment barriers. Economies that are interested in pursuing this path initiate a process of bilateral consultation with each of the TPP members to demonstrate their readiness, and the consensus of all current TPP members is necessary for new parties to join. That is the process that Mexico and Canada successfully completed in 2012, and is the process that Japan is currently engaged in.

In the past, we have offered briefings at a general level on the broad outlines and principles behind the agreement to interested countries in the region that are not presently a party to the TPP, and have done so in coordination with our current TPP partners. We would respond to expressions of interest by China with this type of general briefing, and I would refer you to USTR for details of what information we would be able to provide in such a briefing. It is difficult to assess at present the significance of China's request. Many non-TPP countries have sought information to understand the development of the regional trade and investment context, even if they have no specific interest at present in joining the negotiations. Clearly, China would need to take many steps to open its economy, promote transparent regulatory practices, and address a range of specific issues to be able to demonstrate its readiness for the TPP.

Question. Some in the U.S. business community believe that the 2012 Revised Model Bilateral Investment Treaty (BIT) does not sufficiently cover issues related to China's state-owned-enterprises (SOEs) and have called for the BIT with China to include appropriate disciplines to ensure that China's SOEs do not enjoy preferential advantages over their foreign competitors.

- With respect to talks with China on a BIT, does the administration support an ambitious agreement that includes appropriate disciplines on China's SOEs?
- Does the administration believe that the provisions of the 2012 revised model BIT sufficiently cover SOE issues that have been raised by U.S. businesses?

Answer. The United States seeks to reach agreement on a bilateral investment treaty that sets high standards, including on openness, nondiscrimination, and transparency for American investors and investments. We are taking an ambitious approach in our bilateral investment treaty negotiations with China, and one of our top priorities is to seek disciplines to help level the playing field between American companies and their Chinese competitors, including SOEs and national champions. The 2012 U.S. Model BIT provides a number of tools to address this issue, including the comprehensive approach that it takes to the national treatment nondiscrimination obligation and the application of all BIT obligations to SOEs exercising delegated government authority. Negotiations are at an early stage, and we will continue to address the U.S. business community's concerns as we move forward. We are also seeking to address other top-priority concerns in the China market, including protecting trade secrets from forced transfer and enhancing transparency and the rule of law.

Question. Given that SOEs are an important component of the TPP trade negotiations, how does the administration intend to coordinate negotiations on the SOE provisions in the TPP with the negotiations on the China BIT and the SOE issues that have been raised with respect to China?

Answer. Leveling the playing field for U.S. businesses and workers that compete with foreign state-owned enterprises is a priority for this administration. The United States is seeking to address this issue through coordinated efforts in a range of bilateral and multilateral forums, including the Trans-Pacific Partnership negotiations and our ongoing work in the OECD. A top priority in the bilateral investment treaty negotiations with China is to level the playing field for U.S. firms that face unfair competition from Chinese state-owned enterprises or national champions. We have also been using results-oriented, high-level dialogues like the Joint Commission on Commerce and Trade and the Strategic and Economic Dialogue to address trade distortions and discriminatory treatment resulting from China's heavy reliance on state-owned enterprises.

Question. The United States and Republic of Korea are presently engaged in negotiations on a new nuclear cooperation agreement or 123 Agreement. The U.S. negotiating team is led by the Department of State's International Security and Non-proliferation (ISN) Assistant Secretary, Thomas Countryman.

- If confirmed, will you commit to maintain the EAP Bureau's supporting role in 123 negotiations led by A/S Countryman and his team of nuclear experts?

Answer. Yes. If confirmed, I can reassure you that the Bureau of East Asian and Pacific Affairs will remain committed to supporting ISN Assistant Secretary Countryman and the interagency team of nuclear experts to conclude a successor civil nuclear cooperation agreement with the Republic of Korea.

Question. Please state your views on U.S. engagement with North Korea. Should the United States pursue bilateral talks with North Korea or should the six-party talks framework remain the forum for engagement between Washington and Pyongyang?

Answer. The United States remains committed to seeking a negotiated solution to the North Korea nuclear issue, which will require multilateral diplomacy. North Korea's nuclear and ballistic missile program, proliferation activities, and provocative behavior are a threat to the entire international community. The United States maintains channels for bilateral contact with North Korea and coordinates closely with its allies and partners to press North Korea to choose the path of peaceful denuclearization.

North Korea committed on numerous occasions, including in the September 2005 Joint Statement of the Six-Party Talks, to abandoning all nuclear weapons and existing nuclear programs. The United States and the international community must continue to hold North Korea to those commitments and its international obligations. The United States seeks authentic and credible negotiations to implement the September 2005 joint statement and bring North Korea into compliance with all applicable Security Council resolutions through irreversible steps leading to the denuclearization of the Korean Peninsula. The onus is on North Korea to take meaningful actions toward denuclearization and refrain from provocations.

Question. Please state your views on the provision of humanitarian assistance to North Korea, including food aid.

Answer. I am deeply concerned about the well-being of the North Korean people. The United States has a longstanding policy that decisions on humanitarian assistance, including food aid, are based on three factors: (1) the level of need in a given country; (2) competing needs in other countries; and (3) the ability to ensure that aid reliably reaches the vulnerable populations for which it is intended. If confirmed, I will continue to implement this longstanding U.S. policy on humanitarian assistance.

Question. How would you assess China's willingness to use its leverage to alter North Korea's behavior? Are there still limits to how much pressure Beijing will apply to Pyongyang?

Answer. China has stated that it shares the concerns of the international community regarding North Korea's destabilizing and provocative behavior and agrees that the denuclearization of the Korean Peninsula is of critical importance. If confirmed, I will continue to concentrate U.S. diplomatic energy and efforts on deepening dialogue and cooperation on North Korea with China. I will also encourage China to more effectively leverage its unique relationship with North Korea to achieve our shared goal: the verifiable denuclearization of the Korean Peninsula in a peaceful manner.

China has cooperated in a number of significant and constructive ways to address North Korea's nuclear and ballistic missile programs and provocations. For example, China played a critical role in crafting U.N. Security Council Resolution 2094, which imposed new sanctions on North Korea. If confirmed, I will continue to press China to enforce all provisions of the relevant U.N. Security Council resolutions on North Korea, including tough new sanctions, and to address North Korea's threats to regional peace and security and the global nonproliferation regime.

Question. Last year, the United States and Japan announced that our governments will review the Guidelines of Japan-U.S. Defense Cooperation, which are intended to provide a framework for bilateral roles and missions in response to military contingencies. Please outline the objectives of the United States for this review, including our position on engaging Japan on collective self-defense.

Answer. The U.S.-Japan Defense Guidelines are the framework upon which our bilateral defense cooperation rests. The present version of the Guidelines dates back to 1997, and in the intervening years Japan has expanded the Self Defense Forces role, including by dispatching them to Indian Ocean to support Operation Enduring Freedom, to Iraq, and to Djibouti in support of antipiracy efforts. Our security relationship has naturally evolved since 1997 and the United States and Japan have agreed that the time is right to review the Guidelines and discuss the future of the Alliance. At the conclusion of the review, if a mutual decision is made to revise the Defense Guidelines, we will engage in a deliberate process to reach a consensus out-

come that is firmly supported by fiscal resources on both sides. If confirmed, I will work closely with the Department of Defense to use the Guidelines review to establish a joint vision for the shape of our Alliance over the next 15–20 years. How Japan addresses its self-imposed restriction on collective self-defense will be a subject of Japanese domestic debate and will help shape the future of the Alliance, and we will engage with Japan on this matter closely.

Question. Under current law, U.S. companies can export liquefied natural gas (LNG) if the Department of Energy deems it to be the public interest. If the United States has a free-trade agreement with the importing country, the public interest determination is automatically satisfied. Secretary of Energy Ernest Moniz recently said he would review LNG export applications “on a case-by-case basis expeditiously,” but to date, only two export facilities have been approved by the Obama administration.

- Does the administration believe that expediting natural gas exports to formal allies and emerging partners will strengthen strategic ties and contribute to the administration’s rebalancing in the Asia-Pacific? If so, what steps is the administration planning to take to expedite pending applications for natural gas exports?

Answer. I recognize the importance of energy security for ourselves and our allies. The administration has had a number of discussions with allies and partners interested in importing U.S. LNG. The projects that have been approved, so far, include potential sales to Japan and India, as well as to companies that intend to market gas into global markets.

The Department of Energy has the statutory responsibility to review export license applications, and is therefore best placed to answer specifics about the application review process. I would note, however, that the public interest determination is not a simple question. The various applications for LNG exports total almost 40 percent of U.S. gas production, and the applicants are considering multibillion dollar investments and seeking approval for long-term (typically 20-year) sales commitments. It is important that we get this right, and that the process reflects careful consideration of all the factors.

If confirmed, I will work with the State Department’s Bureau of Energy Resources and the Department of Energy to ensure that this issue is given the attention it requires.

RESPONSES OF DANIEL R. RUSSEL TO QUESTIONS SUBMITTED BY
SENATOR BENJAMIN L. CARDIN

Question. We welcome the administration’s rebalance to Asia. While the rebalance has a strategic basis, I have stressed that we need to make sure that the promotion of human rights is not forgotten. The situation in Tibet is both a strategic matter and a human rights problem.

- Could you speak to how the administration plans, first, to improve the human rights situation in Tibet, and second, to engage on the strategic aspects of the Tibetan issue, including India-China relations and tensions over the sharing of water flowing off the Tibetan plateau?

Answer. I am concerned about the deteriorating human rights situation in Tibetan areas and, if confirmed, I will raise U.S. concerns with my Chinese counterparts. We will continue to call on the Chinese Government to engage with the Dalai Lama or his representatives, without preconditions, as the best means to address Tibetan concerns and relieve tensions. We will consistently raise concerns about Tibetan self-immolations and continue to urge the Chinese Government to address the underlying problems in Tibetan areas and reexamine existing, counterproductive policies that exacerbate rather than resolve existing tensions. I will also continue to press the Chinese Government to allow journalists, diplomats, and other observers unrestricted access to China’s Tibetan areas. We will continue to work broadly across the Himalayan region to encourage countries to work together cooperatively to manage their shared water resources.

Question. For over 30 years, the Taiwan Relations Act and the Six Assurances have governed United States policy toward Taiwan, and have contributed to the peace and stability of the Asia-Pacific region.

- As the United States undertakes plans to expand and intensify the already significant U.S. role in the region, how does it plan to continue to implement the security commitment the United States has for Taiwan under this framework?

Answer. Consistent with the Taiwan Relations Act and the United States one-China policy, the United States makes available to Taiwan defense articles and services necessary to enable Taiwan to maintain sufficient self-defense. The administration approved nearly several billion in new defense sales to Taiwan, as notified to Congress in 2012. If confirmed, I will continue to support the sale of defense articles to Taiwan. Such sales help meet our commitments to Taiwan and at the same time help maintain stability both across the Taiwan Strait and within the region.

Question. Discrimination against minorities in Myanmar remains a serious problem. For example, discriminatory local orders in Rakhine State which require members of the minority Rohingya community to seek government permission to travel, marry, have more than two children per household, and repair their houses and places of worship are sources of severe persecution and undermine any prospect of regional economic development.

- What policy option does the U.S. Government have to urge the Government of Myanmar to create and implement a plan to eliminate discrimination toward religious and ethnic minorities, end ethnic segregation; and engage in voluntary resettlement of displaced persons?

Answer. I am deeply concerned about recent religious conflict in Burma and urge all parties to refrain from violence and the government to end impunity by holding all perpetrators accountable for criminal acts of violence regardless of race, religion, or citizenship status. Ambassador Mitchell and Embassy Rangoon officers continue to travel throughout Burma to engage and petition government, religious, political, and community leaders to advocate restraint, tolerance, and reconciliation.

Tensions remain high in Rakhine State since outbreaks of violence in June and October 2012 left over 200 people dead and at least 140,000 displaced. Most victims were Muslim Rohingya. Reports in May that local Rakhine State officials planned to enforce a two-child limit for Rohingya in two townships are also worrying. Senior Department of State officials, including Ambassador Mitchell in Rangoon, continue to encourage the Government of Burma to develop a long-term solution to the crisis that addresses humanitarian needs of all Rakhine State's residents in a manner consistent with international norms and principles, including implementing the constructive recommendations included in the recent report by the government's Rakhine Investigation Commission. Our officials have stressed to the government, local authorities, religious leaders, and representatives of civil society that respect for and protection of human rights and fundamental freedoms, along with reintegration, redress, and reconciliation are the path toward lasting peace.

The administration led coordination efforts with the international community to mobilize a response ahead of this year's rainy season to meet the needs of communities affected by the conflict, and we will continue to underline the urgency of that response in the coming months. The United States has provided more than \$7 million in humanitarian assistance since June 2012 to address the shelter, food, nutrition, and water and sanitation needs of internally displaced persons (IDPs).

I also remain very concerned about anti-Muslim violence that erupted on March 21 in Meiktila Town, central Burma, and spread to several neighboring townships displacing nearly 13,000 people, killing an estimated 100, and destroying homes, mosques, and other buildings. In April, the State Department received disconcerting reports of anti-Muslim violence in Lashio in Burma's Shan State that led to burning of Muslim shops and religious buildings. The State Department recently provided \$100,000 for humanitarian assistance to aid the victims of violence. Although the Government of Burma has reported that authorities detained a number of alleged Buddhist perpetrators in the wake of anti-Muslim violence, the State Department is aware of none that have been publicly sentenced. In contrast, authorities have prosecuted Muslims following these outbreaks, including, for example, two Muslim women who received sentences of 2 years hard labor for bumping into a young monk and allegedly sparking an outbreak of mob violence on April 30. If confirmed, I will continue to strongly urge the Government of Burma to hold accountable all individuals responsible for the March and April anti-Muslim violence in central Burma in a nondiscriminatory manner. I remain deeply concerned by the lack of equitable justice and accountability to date.

The administration is committed to working with other donor governments, affected countries in the region, and the international community to meet critical humanitarian protection and assistance needs and develop comprehensive durable solutions for Burmese IDPs, refugees, asylum seekers and vulnerable migrants in Burma and the region. The United States and international community support voluntary returns in safety and dignity. The U.S. Government continues to express to affected countries in the region our commitment to provide assistance to improve

conditions in ethnic minority areas inside the country that will allow for the safe return of displaced persons.

Question. If current Cambodia Prime Minister Hun Sen secures a new term in July through an election process which is not free and fair, how should the U.S. Government respond?

Answer. The United States has conveyed to Cambodia at high levels that the lack of progress on democracy and human rights is an impediment to deeper relations between our two countries. The upcoming national elections will be a critical test of the Cambodian Government's commitment to strengthening the nation's democracy. We are monitoring the situation closely and will reassess as appropriate our assistance and/or engagement with the Government of Cambodia in light of how the election is conducted. If confirmed, I will continue to press for improvements in human rights and a credible, free, and fair electoral process that allows for the full and unfettered participation of all political parties and their leaders.

Question. The rebalance to Asia policy aims to use military, diplomatic, and economic tools of power and influence in a more coherent and deliberate fashion. Will these policy pronouncements be translated into an across-the-government plan to implement new elements of the strategy? What are our current skills and abilities in terms of language and area studies outside the State Department, in Energy, Commerce and other agencies?

Answer. The administration's rebalance, which covers diplomatic, economic, development, security, and cultural initiatives, is rooted in the recognition that America's prosperity and security are very much intertwined with the Asia-Pacific region. As underscored by Secretary Kerry during his trip to the region in April, the State Department is working hard to implement this U.S. strategic objective by building an increasingly active and enduring presence in the region. I wholeheartedly support the Secretary and President's shared vision for the Asia-Pacific in which the United States engages deeply throughout the region and advances our values and national interests, security, and leadership.

I believe that our policy and resource planning must be fully integrated and closely coordinated with our interagency partners in order to advance our shared military, diplomatic, development, and economic objectives in the Asia-Pacific. I personally participated in interagency planning sessions on our Asia rebalance during my tenure as Special Assistant to the President and Senior Director for Asian Affairs in the National Security Council. For example, the Department of State works very closely with the Office of Management and Budget, the National Security Staff, the Department of Defense, and USAID in preparing an integrated budget that supports our whole of government strategy for the Asia-Pacific. If confirmed, I will look at additional ways to coordinate our planning and, just as importantly, to communicate our strategy and thinking to the American public.

I believe that efforts within the State Department, and with our interagency partners, to strengthen language and areas studies skills of our overseas and domestic staff will become increasingly vital as we rebalance our U.S. engagement to a region with over half of the global population, 10 languages designated as either hard or super hard, and a tremendously diverse range of cultures and ethnicities. The administration has consistently placed a high value on ensuring our diplomats and interagency officials obtain the right skills and expertise to advance our foreign policy.

The Foreign Service Institute (FSI), the government's premier training institution for officers and support personnel of the U.S. foreign affairs communities, continues to be an especially valuable asset in our support for other agencies, particularly those in need for knowledge of foreign language, cultures, and international affairs. FSI provides training for some 47 U.S. Government agencies. Training offered to our interagency partners includes language training and country-specific and regional area studies courses including on East Asia, China; South Asia, Southeast Asia, Japan, Korea, Maritime Southeast Asia, and Mainland Southeast Asia. My own view is that we could do more to train U.S. officials in the region and at home—for State as well as officials in our sister agencies. If confirmed, I will continue to work with our State and interagency partners to enhance the relevant skills and knowledge to advance our core policy objectives for the Asia-Pacific.

Question. President Park has called for creating a "new era" on the Korean Peninsula by building trust between North and South Korea. Despite the North's recent behavior, she has indicated she wants to go forward with modest, incremental initiatives, including providing some humanitarian aid. Should the United States consider also providing humanitarian assistance again?

Answer. The longstanding policy of the United States is that humanitarian assistance, including food aid, should not be linked to political and security issues. Decisions on U.S. humanitarian assistance anywhere are based on three factors: (1) the level of need in a given country; (2) competing needs in other countries; and (3) the ability to ensure that aid reliably reaches the vulnerable populations for which it is intended. If confirmed, I will continue to implement this longstanding U.S. policy on humanitarian assistance.

RESPONSES OF DANIEL R. RUSSEL TO QUESTIONS SUBMITTED BY
SENATOR MARCO RUBIO

Question. Can you explain how, in pursuing the Asia pivot/realignment, the United States will deal with countries like Vietnam and Cambodia, which have highly problematic human rights records?

Answer. Promoting human rights is an essential element of the administration's rebalance strategy. If confirmed, I will conduct candid and constructive human rights discussions with Asian governments in bilateral and multilateral settings. In close consultation with Congress, I will also work with my colleagues in the State Department and USAID to ensure that foreign assistance programs for East Asia and the Pacific reflect our commitment to bolster civil society, support human rights, and promote democracy throughout the region. The administration has been disappointed by the deterioration in human rights conditions over the last several years in Vietnam, particularly by the ongoing crackdown on bloggers and restrictions on Internet and media. If confirmed, I will urge Vietnam to respect human rights and emphasize that advancing the relationship with the United States is contingent on improving its human rights performance. Although Vietnam's record is of significant concern, there were some positive developments earlier this year, including Vietnam's decision to release lawyer Le Cong Dinh for humanitarian reasons and to host a high-level visit by Amnesty International.

The Department of State has consistently and frankly raised our concerns about human rights with Cambodia. President Obama has emphasized that the lack of progress on human rights in Cambodia would be an impediment to deeper relations between our two countries. Challenges remain, such as land rights disputes and evictions without adequate compensation, judicial interference by the ruling political party to intimidate the opposition, and the infringement of the freedom of speech and press. However, Cambodia has taken some positive steps including the release of Mam Sonando in March. If confirmed, I will urge Cambodia to systemically improve its human rights record and to take measures to provide for a healthy democratic process, particularly in the runup to national elections in July.

Question. If confirmed, what will you do to address the issue of China's repeated repatriation of North Korean refugees back to a country where they face almost certain torture and imprisonment?

Answer. If confirmed, I will urge China to comply with its obligations as a party to the 1951 Convention Relating to Status of Refugees and its 1967 Protocol, including not to expel people protected under these treaties and to cooperate with the United Nations High Commissioner for Refugees (UNHCR) in the exercise of its mandate.

Question. Should the President impose the sanctions on China called for in the Trafficking Victims Protection Act, now that China has been lowered to Tier 3. If not, why?

Answer. I am concerned about human trafficking in China and, if confirmed, will carefully review all our efforts to combat trafficking in persons in the region to ensure that we are taking all appropriate steps to address this issue. The Trafficking Victims Protection Act (TVPA), as amended, authorizes restrictions on assistance for countries ranked Tier 3 in the Trafficking in Persons Report, but the President may waive some or all restrictions if he determines that the affected assistance "would promote the purposes of [the TVPA] or is otherwise in the national interest of the United States."

Question. If confirmed, would you commit to attend the Human Rights Dialogue to show the importance of this aspect of our discussions with China to our bilateral relationship?

Answer. If confirmed, I am committed to supporting the Dialogue and continuing to raise our human rights concerns directly with our Chinese counterparts. The promotion of human rights is a key tenet of U.S. foreign policy, and the U.S.-China Human Rights Dialogue is an important channel to discuss our key human rights

concerns with China. I would welcome the opportunity to participate. I strongly believe respect for the rule of law and protection of universal human rights are critical to China's long-term prosperity and stability.

Question. What steps is the administration taking to support the work of the U.N. Commission of Inquiry on North Korea, including its efforts to gain access to China to examine the conditions faced by those fleeing North Korea?

Answer. The United States remains deeply concerned about the human rights situation in North Korea, and cosponsored the annual resolution that established the U.N. Human Rights Council's Commission of Inquiry (COI) to investigate the grave, widespread, and systematic violations of human rights in North Korea.

If confirmed, I will continue U.S. efforts to urge North Korea to cooperate with the COI—including by granting COI members access to the country to evaluate human rights conditions on the ground—and actively work with our partners and international organizations to address and raise attention to the deplorable human rights conditions in North Korea.

I will also continue U.S. efforts to urge all countries in the region, including China, to cooperate in the protection of North Korean refugees and asylum seekers within their territories and to act in conformity with their obligations under the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol, including (1) not to refoule North Koreans protected under these treaties, and (2) to cooperate with the U.N. High Commissioner for Refugees.

Question. As Taiwan is likely to retire some of its older fighter aircraft in the next 5 to 10 years, do you believe that sales of advanced aircraft and other weapons systems are an important, next step in this commitment?

Answer. Consistent with the Taiwan Relations Act and the United States one-China policy, the United States makes available to Taiwan defense articles and services necessary to enable Taiwan to maintain sufficient self-defense capability. With U.S. assistance, Taiwan is currently undergoing an extensive modernization of its F-16 A/B fleet, and we are aware of Taiwan's desire to replace older F-5, and perhaps Mirage 2000-5 fighters, with additional F-16 aircraft. No decisions have been made about possible future sales of military aircraft to Taiwan.

If confirmed, I will continue to support U.S. policy to meet our commitments to Taiwan and assist Taiwan's maintenance of a sufficient self-defense capability. Doing so increases stability both across the Taiwan Strait and within the region.

Question. What is the administration's position regarding the eventual participation of Taiwan in the Trans-Pacific Partnership negotiations?

Answer. The United States and its Trans-Pacific Partnership (TPP) negotiating partners have stated that the TPP is open to economies in the Asia-Pacific that can establish their readiness to meet the high standards of the agreement. The addition of new members into the TPP is based on the consensus of current members. The Ma administration has set a goal of joining the TPP within 8 years, indicating that Taiwan understands it will take time to prepare for possible future entry into the TPP. The State Department and other U.S. trade agencies welcome the liberalization of Taiwan's economy and have encouraged this in meetings under our Trade and Investment Framework Agreement. If confirmed, I will continue to encourage Taiwan's liberalization efforts.

Question. If confirmed, will you personally commit to restate the administration's support for President Reagan's "Six Assurances" to Taiwan, as was done during the first term by Assistant Secretary Campbell?

Answer. The United States remains firmly committed to the U.S. one-China policy, the three joint communiques, and our responsibilities under the Taiwan Relations Act. The "Six Assurances" indeed help form the foundation of our overall approach to Taiwan. If confirmed, I will uphold this approach.

The United States opposes attempts by either side to unilaterally alter the status quo across the Taiwan Strait. The United States does not support Taiwan independence.

The United States has long maintained that differences between the People's Republic of China and Taiwan are matters to be resolved peacefully.

Question. Knowing that the current Taiwan 123 Agreement will expire in March 2014, and knowing that the renewal will need 90 legislative days to sit with Congress before it comes into effect, when does State plan to send the negotiated renewal to Congress so as to avoid a situation where a legislative fix is needed?

Answer. For the Department of State, the Bureau of International Security and Nonproliferation (ISN) leads on negotiation of agreements regarding peaceful uses

of nuclear energy, often referred to as “123 Agreements.” I understand that, through the American Institute in Taiwan (AIT), on the U.S. side, and Taiwan’s Taipei Economic and Cultural Representative Office in the United States (TECRO), negotiators are working hard to reach a new agreement at an early date. Their goal is to put a new AIT–TECRO 123 Agreement before Congress this autumn. If confirmed, I will support efforts to bring the negotiations to an early, successful conclusion with sufficient time to allow for the required congressional review period prior to entry into force.

RESPONSES OF DANIEL R. RUSSEL TO QUESTIONS SUBMITTED BY
SENATOR CHRISTOPHER A. COONS

Question. Under your leadership, how will the Bureau of East Asian and Pacific Affairs further advance economic opportunities for women in the region and expand programs such as the South Asia Women’s Entrepreneurship Symposium?

Answer. If confirmed, I will strongly support programs that create opportunities for and empower women and girls as a vital component of our economic engagement in the region. The United States currently works both bilaterally and through multilateral frameworks, including the Asia-Pacific Economic Cooperation (APEC) forum, Lower Mekong Initiative (LMI), and the Association of Southeast Asian nations (ASEAN), to support women’s economic empowerment.

For example, under APEC, the State Department is focused on implementing the San Francisco Declaration, which calls on APEC members to take concrete actions to realize the full potential of women, integrate them more fully into APEC economies, and maximize their contributions toward economic growth. Within this framework, the United States is implementing capacity-building activities focused on women’s access to markets and capital and is supporting a number of studies to identify specific, actionable barriers to women’s participation in the economy in targeted APEC member economies.

The United States has also supported the efforts of the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children to strengthen economic rights and opportunity for women. The Department supports USAID’s upcoming launch of the 5-year U.S.–ASEAN Partnership for Good Governance, Equitable and Sustainable Development, and Security (PROGRESS), which will include women’s and children’s rights as a key focus area. The Department will also soon announce open applications for the U.S.–ASEAN Science Prize For Women, which will be awarded to a promising, early-career woman scientist from the ASEAN region.

The Lower Mekong Initiative (LMI), the Mekong Technology, Innovation Generation, and Entrepreneurship Resources (TIGERS) Project will facilitate access to economic opportunities for women entrepreneurs and support the development of an “innovation ecosystem” in the countries of the Lower Mekong subregion.

Bilaterally, the United States will bolster women’s participation in the private sector in Papua New Guinea through training programs to support the development, sustainability, and advocacy skills of the nascent Papua New Guinea Women’s Chamber of Commerce.

In December 2012, the State Department held a Women’s Entrepreneurship Symposium to galvanize women’s economic empowerment along the New Silk Road and the Indo-Pacific Economic Corridor, which links India and Bangladesh with Southeast Asia. The Symposium brought together over 100 women entrepreneurs, government officials, private sector and civil society leaders from 11 South and Central Asian countries, including Burma, to identify opportunities and priorities for advancing women’s entrepreneurship in South Asia.

Question. How will the Bureau address violence against women and girls in the region, including sexual- and gender-based violence, as recently highlighted by the gang rape and death of the 23-year-old woman on a Delhi bus in India?

Answer. The Bureau of East Asian and Pacific Affairs (EAP) is working closely with the Secretary’s Office of Global Women’s Issues (S/GWI), and Bureaus and Offices across the Department to comprehensively prevent and respond to gender-based violence in the Asia-Pacific. S/GWI’s small grants programming around the world, including in the Asia-Pacific region, supports the advancement of respect for women’s and girls’ human rights, and will include targeted programs that address gender-based violence. These grants work to support and build the capacity of local, grassroots organizations, raise awareness of gender-based violence, legal rights, and strengthen community referral systems. Additionally, EAP supports S/GWI’s efforts

to increase women's participation in peace negotiations, conflict prevention and response efforts, and peace-building processes.

Preventing and responding to gender-based violence is a critical step toward the U.S. Government's goal of supporting the emergence of stable, democratic countries that are at peace with their neighbors and provide for the basic needs of their citizens. If confirmed, I commit to continuing EAP's close cooperation with S/GWI and all other stakeholders to prevent violence against women and girls.

RESPONSES OF DANIEL R. RUSSEL TO QUESTIONS SUBMITTED BY
SENATOR JOHN BARRASSO

Question. Like many U.S. industries, soda ash faces significant trade barriers around the world. It is a key manufacturing component of glass, detergents, soaps, and chemicals. Soda ash is also used in many other industrial processes.

U.S. "natural soda ash" is refined from the mineral trona. It has long been regarded as the standard for quality, purity, and energy efficiency in production. The Green River Basin in Wyoming is the world's largest area for naturally occurring trona.

- As part of your effort to promote U.S. industries in the East Asian and Pacific region, can you commit to me that you will be an advocate for eliminating trade barriers for soda ash and other important U.S. industries in the international marketplace?

Answer. If confirmed as Assistant Secretary, I will prioritize the East Asian and Pacific (EAP) Bureau's promotion of U.S. exports and the facilitation of U.S. industries' participation in international markets. I understand the Department is aware that some countries have pursued actions against the importation of soda ash, including barriers to trade in soda ash. I will ensure that EAP provides necessary support to the Department of Commerce and the Office of the U.S. Trade Representative to address this issue and other trade-distorting measures. I will also advocate strongly for U.S. firms and industries, encouraging our trading partners' adherence to their international trade obligations in providing nondiscriminatory market access for our exporters, including those in the soda ash industry.

Question. Last year, the U.S. Department of State and U.S. Department of Defense initiated a process to remove a war memorial in Wyoming. It honors the lives of 48 soldiers who were massacred in their sleep by insurgents in the Philippines on September 28, 1901. The Department of State and Department of Defense intentionally withheld information about the commencement of its removal from Congress.

- Will you commit to me to not send our war memorials, which honor our fallen service men, women, and their families, to foreign lands?
- What is your position on providing Congress with information and notice about these types of actions?

Answer. I understand and appreciate the deep historical and emotional connections Americans have to the Bells of Balangiga, which represent the ultimate sacrifice of so many young Americans in the service of our Nation. If confirmed, I will continue to consult with Congress, the Department of Defense, and all other interested parties on this issue.

Question. As you know, the North Korean Government has appealed to the United States to open talks to ease the tensions on the Korean Peninsula.

- Do you believe the United States should reward the North Koreans by directly engaging with North Korea?
- Do you believe the North Koreans will dismantle their nuclear program as a precondition to hold talks with the United States?
- If you were in a position to set the preconditions for U.S.-Korean direct talks, can you please detail those preconditions?

Answer. I believe the United States should not seek talks for the sake of talks. Rather we should be open to authentic and credible negotiations to implement the September 2005 joint statement and bring North Korea into compliance with all applicable Security Council resolutions by ending its ballistic missile program and abandoning all nuclear weapons and existing nuclear programs in a complete, verifiable, and irreversible manner. For negotiations to be authentic and credible, North Korea must demonstrate it is prepared to halt and ultimately abandon all of its nuclear weapons and programs.

The onus is on North Korea to take meaningful actions toward denuclearization and refrain from provocations, and improve relations with South Korea. North

Korea committed on numerous occasions, including in the September 2005 Joint Statement of the Six-Party Talks, to abandoning all nuclear weapons and existing nuclear programs. The United States and the international community must continue to hold North Korea to those commitments and its international obligations.

The United States remains committed to finding a diplomatic solution on North Korea, which will require multilateral action. North Korea's nuclear and ballistic missile program, proliferation activities, and provocative behavior are not just bilateral issues between the United States and North Korea, but are of concern to the entire international community. If confirmed, I would continue to coordinate closely with allies and partners to press North Korea to choose a path different leading to peaceful denuclearization.

Question. Do you believe tougher sanctions should be imposed on North Korea for its continued violation of all its nonproliferation agreements?

Answer. I believe the United States should continue to work with the international community to ensure full enforcement of international and national sanctions as part of our effort to bring about denuclearization of the Korean Peninsula. The international community has posed strict measures in response to North Korea's defiance of its international obligations, and the United States continues to demand that North Korea fully comply with its international obligations.

In unanimously adopting U.N. Security Council Resolution 2094, which expanded sanctions on North Korea in response to the February 12, 2013, North Korean nuclear test, the U.N. Security Council expressed its determination to take further significant measures in the event of a future North Korean missile launch or nuclear test. The United States has also imposed—and as necessary will continue to impose—national measures on entities and individuals involved in proliferation-related activities proscribed by U.N. Security Council resolutions.

Sanctions on North Korea are aimed at impeding its ability to sustain and advance its proscribed nuclear, ballistic missile, and proliferation programs and activities. The international community's concerted efforts to implement these sanctions have demonstrated to North Korea the increasing costs of defying the international community.

If confirmed, I will strongly support full implementation of sanctions by our international partners and will work closely with the Department of the Treasury and other agencies to examine further unilateral or multilateral sanctions as appropriate.

Question. What additional unilateral sanctions are available to the United States to impose against the regime in North Korea?

Answer. The United States has a range of unilateral sanctions authorities available to address North Korea's proliferation activities and will continue to use them to expand sanctions on North Korea and target entities and individuals associated with North Korea's proscribed nuclear and ballistic missile programs and other illicit acts.

I believe that sanctions are a valuable and effective part of our overall strategy to combat the proliferation of weapons of mass destruction and their means of delivery.

If confirmed, I will cooperate with the Department of the Treasury and other agencies to consider all appropriate measures to impede North Korea's ability to sustain and advance its proscribed nuclear and missile programs and associated proliferation activities.

Question. What consequences have there been, if any, for North Korea's long-range missile test in February?

Answer. The February 12, 2013, North Korean nuclear test resulted in the unanimous adoption of U.N. Security Council Resolution (UNSCR) 2094, which significantly expanded an already strong set of sanctions on North Korea, as well as in broad international condemnation—from an unprecedented 80-plus countries and international organizations.

The measures contained in UNSCR 2094 are already being implemented and making it harder for North Korea to move the funds, equipment, and personnel needed to develop its prohibited nuclear and ballistic missile programs. The United States has worked closely with the international community to ensure that these measures are fully implemented.

On March 11, 2013, the United States designated the North Korea's Foreign Trade Bank, consistent with UNSCR 2094's obligation to prevent financial transactions that could contribute to North Korea's illicit programs. The United States also designated four senior North Korean officials for their role in activities explicitly proscribed by U.N. Security Council resolutions.

Question. What is the current relationship between Iran and North Korea? How much cooperation is there between the two countries on missile and nuclear development?

Answer. U.N. Security Council Resolutions 1718 and 1874 prohibit the transfer to or from the DPRK of goods and technology related to nuclear, ballistic missile or other weapons of mass destruction-related programs. Likewise, any cooperation with Iran on prohibited, proliferation sensitive nuclear and ballistic missile activities could violate multiple U.N. resolutions on Iran.

If confirmed, I will strongly support U.S. efforts to prevent collusion and to press both the DPRK and Iran to comply fully and transparently with their international commitments and obligations and to refrain from any undertakings which would further threaten the global nonproliferation regime.

RESPONSES OF DANIEL R. RUSSEL TO QUESTIONS SUBMITTED BY
SENATOR RAND PAUL

Question. Over the past few years we've seen reduced tensions in the Taiwan Strait. How will you continue to encourage the development of cross-strait relations?

Answer. I applaud the cross-strait agreements signed by China and Taiwan over the past 5 years. Cultural exchange, direct transportation links, and investment promotion are just a few examples of these accomplishments.

For the past 34 years, the United States has pursued its one-China policy based on the three communiques and the Taiwan Relations Act. Regional stability and U.S. policy have provided Taiwan with the confidence and flexibility needed to improve cross-strait relations.

If confirmed, I will encourage both Taiwan and China to continue expanding cross-strait cooperation and oppose any attempts by either side to unilaterally alter the status quo.

Question. Would the United States support expanding the Trans-Pacific Partnership to include Taiwan?

Answer. The United States and its Trans-Pacific Partnership (TPP) negotiating partners have stated that the TPP is open to economies in the Asia-Pacific that can establish their readiness to meet the high standards of the agreement. The addition of new members into the TPP is based on the consensus of current members. The Ma administration has set a goal of joining the TPP within 8 years, indicating that Taiwan understands it will take time to prepare for possible future entry into the TPP. The State Department and other U.S. trade agencies welcome steps Taiwan is taking to liberalize its economy, and have encouraged this in our discussions under our Trade and Investment Framework Agreement. If confirmed, I will continue to encourage Taiwan's liberalization efforts.

Question. Do you see an enhanced role for Taiwan under the rebalance to Asia policy on economic and security fronts?

Answer. Taiwan is a vibrant democracy and a developed market economy. It is the United States 11th-largest trading partner, 7th-largest export market for American agricultural and food products, and the 6th-largest source of international students in the United States. If confirmed, I will ensure the United States expands its commercial, economic, and cultural engagement with Taiwan through our Trade and Investment Framework Agreement (TIFA), through economic integration initiatives in Asia-Pacific Economic Cooperation (APEC), and through greater people-to-people contacts, including student exchanges. Our people-to-people engagement has been further facilitated by Taiwan's entry into the Visa Waiver Program in 2012. If confirmed, I will also ensure the United States continues to build a robust unofficial relationship with Taiwan and fulfill its longstanding commitment to enable Taiwan to maintain a sufficient self-defense capability, in accordance with the 1979 Taiwan Relations Act.

**NOMINATIONS OF VICTORIA NULAND,
DOUGLAS LUTE, AND DANIEL BAER**

THURSDAY, JULY 11, 2013

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

Hon. Victoria Nuland, of Virginia, to be Assistant Secretary of State for European and Eurasian Affairs
Douglas Edward Lute, of Indiana, to be United States Permanent Representative on the Council of the North Atlantic Treaty Organization
Daniel Brooks Baer, of Colorado, to be U.S. Representative to the Organization for Security and Cooperation in Europe

The subcommittee met, pursuant to notice, at 2:25 p.m., in room SD-419, Dirksen Senate Office Building, Hon. Christopher Murphy, presiding.

Present: Senators Murphy, Cardin, Shaheen, Kaine, Johnson, Risch, Rubio, McCain, Barrasso, and Paul.

**OPENING STATEMENT OF HON. CHRISTOPHER MURPHY,
U.S. SENATOR FROM CONNECTICUT**

Senator MURPHY. I call this nomination hearing to order.

Today, the Senate Foreign Relations Committee will consider three nominations: Victoria Nuland to be the Assistant Secretary of State for European and Eurasian Affairs; Douglas Lute to be the U.S. Permanent Representative to NATO; and Daniel Baer to be the U.S. Ambassador to the Organization for Security and Cooperation in Europe.

Before we begin, let me remind members that the deadline for submission of questions for the record is the close of business, this Monday.

First, let me welcome our nominees as well as your families:

Our first nominee, Victoria Nuland, is a 29-year veteran of the Foreign Service. She most recently served at the State Department as the spokesperson there, but Ambassador Nuland has worked at the highest levels of both Republican and Democratic administrations, earning the respect of her colleagues at every step along the way. She served with integrity and dedication as the Special Envoy for Conventional Armed Forces in Europe, the U.S. Permanent Representative to NATO, and the Principal Deputy National Security Advisor to Vice President Cheney. As her colleagues note, her

20 years of work as an expert specifically on Russia, as well as her talents as a diplomat, negotiator, and strong voice for democracy and human rights, makes her ideally suited for the position of Assistant Secretary for Europe and Eurasia.

Victoria is originally from my home State of Connecticut, so I am especially pleased to preside over her confirmation hearing today. She is here with her family—her parents, as well as her husband, Robert, and her son, David. We welcome them, as well.

Daniel Baer is the Deputy Assistant Secretary in the Bureau of Democracy, Human Rights, and Labor, currently at the U.S. Department of State. Prior to joining the administration in 2009, he had teaching positions at both Georgetown and Harvard. And during his time in academia, the private sector, and government, Dr. Baer has distinguished himself as a talented diplomat and passionate defender of human rights, and I believe that he is an excellent choice for our Ambassador to the OSCE.

He is here today with his partner, Brian Walsh, and we welcome him.

Douglas Lute has long had a distinguished career in both military and civilian service. He is currently serving as the Deputy Assistant to the President and Coordinator for South Asia and the White House national security staff. He retired from Active Duty in the United States Army as a lieutenant general in 2010, after 35 years of service. General Lute's previous positions include time at the U.S. European Command in Germany and as the commander of U.S. Forces in Kosovo, where he first worked with NATO.

General Lute, we thank you for your service. We look forward to working with you in your new position, and we also welcome your wife, Jane, who is here today.

I congratulate all of you on your nominations.

Let me say that, as we are going to be talking about Europe today, probably the most overused word in the foreign policy community today is "pivot." There is no doubt that America has new and important diplomatic, economic, and security interests in Asia, and there is no doubt that the original reason for many of our values-based alliances with Europe—the cold war—is no longer present today. But, today, no less than ever before, Europe, as a unit and as European nations individually, remain America's most important allies to be found anywhere on the globe. Our most important security relationship is with Europe. When confronting a global crisis, the first place we almost always turn is to our European allies. Our most important economic relationship is with Europe. That is why we are reinvesting in this side of the relationship, with a kickoff, this week, of negotiations on the Transatlantic Trade and Investment Partnership.

In a lot of ways, as the United States and Europe face the new economic growth in Asia, as we look at communal security challenges in places like Syria, Iran, and Afghanistan, our alliance is now more important than ever before.

So, if confirmed, Ambassador Nuland, you will be formulating U.S. policy toward Europe at a crucial moment in our alliance's history, and I look forward, today, to hearing your thoughts, for instance, on how the State Department can assist the U.S. Trade

Representative in moving forward a potentially transformational economic deal with Europe. We need to hear from you as to how we continue to maneuver an increasingly complicated—to frankly use a generous term—relationship with Russia. How do we work together on common goals, like arms control and Middle Eastern stability while not letting them off the hook for a dangerous downward turn in the treatment of civil society? And, while we welcome the EU's emergence as a leader in the Balkans, how do we work with our partners in Europe to continue to integrate these fragile nations into the world community?

General Lute, you are going to be working with NATO partners to bring our troops home from Afghanistan, while, at the same time, formulating the future role of the alliance. NATO still remains the world's preeminent security alliance. But, to remain strong, you are going to continue the work of your predecessor in emphasizing the importance of smart defense, of interoperability and coordinated strategic planning.

And, Dr. Baer, you are going to be going to an organization that, more than any other, represents our ideals, and yet you will be faced with the challenge—maybe more of a challenge today than ever—of putting those ideals into action.

So, I congratulate each of you on your nomination. And my hope is that the full Senate will work quickly and positively on your confirmations.

At this point, I turn it over to Senator Johnson for opening remarks.

**STATEMENT OF HON. RON JOHNSON,
U.S. SENATOR FROM WISCONSIN**

Senator JOHNSON. Thank you, Mr. Chairman. Appreciate your opening remarks, and I certainly appreciate, also, the distinguished service that the nominees have already provided to their Nation, and truly appreciate the fact that you are willing to step up to the plate again and serve your Nation in new capacities, here. So, we have some, I think, first-class nominees here, and I am looking forward to your testimony.

What is being contemplated, however, in the United States Senate, I think, requires some comment, and I would like to utilize my opening remarks to talk about what we were talking about in both of our caucuses, that the majority is contemplating taking action, breaking precedent, basically breaking the rules to change the Senate rules in a way that I believe would be incredibly damaging, if not very destructive, to the United States Senate, this institution that we totally revere. And it is doing it on the basis of what, I think, certainly the folks on our side of the aisle believe is a manufactured crisis. It has to do with nominations and, supposedly, Republican obstruction and, apparently, our blocking of nominations. But, here are the facts.

In the 111th Congress, there were 920 of President Obama's nominations confirmed, only one was rejected. In the 112th Congress, 574 nominations were confirmed, only two were rejected. During the 113th Congress, our current Congress, there have been 66 nominees confirmed, with only one being rejected. Hardly a record of obstruction.

In terms of Cabinet nominees, just in terms of the length of time it has taken to get confirmation, President Obama, his Cabinet nominees have taken 51 days, on average. During President Bush's administration, it was 52 days. During President Clinton's administration, it was 55 days. Again, President Obama has been, certainly, given due consideration. His nominees have been, really, moved forward very rapidly.

In this term, in his second term, President Obama has already confirmed 28 judges—or we have—the Senate's confirmed 28 judges, compared to 10 judges in President Bush's second term.

This is manufactured crisis. And I am not the only one that believes that the nuclear option would be incredibly damaging. This is the words of Majority Leader Harry Reid when he wrote a book, in March 2009. He said, "The nuclear option was the most important issue I had ever worked on in my entire career, because if that had gone forward, it would have destroyed the Senate as we know it." That is not the only thing Senator Harry Reid has mentioned about breaking the rules to change the rules. He said, "In violating 217 years of standard procedure in the Senate, changing the rules by breaking the rules is about as far as you could get from a constitutional option." He also said, "For people to suggest that you can break the rules to change the rules is un-American."

The only way you can change the rule in this body is through a rule that now says, "To change a rule in the Senate rules to break a filibuster still requires 67 votes." You cannot do it with 60 votes. You certainly cannot do it with 51. Now we are told the majority is going to do the so-called "nuclear option." The Parliamentarian would acknowledge it is illegal, it is wrong, you cannot do it, and they would overrule it. It would simply be, "We are going to do it because we have more votes than you." You would be breaking the rules to change the rules. That is very un-American.

And finally, he said, "The American people, in effect, reject the nuclear option because they see it for what it is, an abuse of power, arrogance of power." Lord Acton said, "Power corrupts, and absolute power corrupts absolutely." That is what is going on. The rules are being changed in the middle of the game. They are breaking the rules to change the rules. Regardless of one's political affiliations, Americans understand this is a political power-grab, a partisan political grab.

Vice President Biden commented on this when he was a Senator. He said, "The nuclear option is ultimately an example of the arrogance of power. This is a fundamental power-grab by the majority party. It is nothing more or nothing less."

Former Senator Christopher Dodd, in his farewell address, said, "But, whether such a temptation is motivated by a noble desire to speed up the legislative process or by pure political expedience, I believe such changes would be unwise. To my fellow Senators who have never served a day in the minority, I urge you to pause in your enthusiasm to change the Senate rules."

Now, Senator Murphy, neither one of us, unfortunately, had the pleasure of serving with Senator Robert C. Byrd, from West Virginia, somebody who, certainly as I watched the Senate from afar, was acknowledged as somebody who revered the Senate, who fully understood the rules. We, unfortunately, did not get to have him

speak to us during orientation, but he gave a very famous orientation speech on December 3, 1996, for that incoming Senate class, and I would like to take some time—because I think his words bear repeating.

He said, “Let us clearly understand one thing. The Constitution’s Framers never intended for the Senate to function like the House of Representatives”—in other words, be a majoritarian body. “I have said that, as long as the Senate retains the power to amend and the power of unlimited debate, the liberties of the people will remain secure. The Senate was intended to be a forum for open and free debate and for the protection of political minorities. I have led the majority and I have led the minority, and I can tell you, there is nothing that makes one fully appreciate the Senate’s special role as the protector of the minority interests like being in the minority.

“Since the Republican Party was created, in 1854, the Senate has changed hands times 14 times, so each party has had the opportunity to appreciate, firsthand, the Senate’s role as guardian of minority rights. But, almost from its earliest years, the Senate has insisted upon its members’ rights to virtually unlimited debate. When the Senate reluctantly adopted the cloture rule in 1917, it made the closing of debate very difficult to achieve by requiring a supermajority and by permitting extended post-cloture debate.”

By the way, back then, the supermajority was two-thirds votes, now it is three-fifths.

“This deference to the minority view sharply distinguishes the Senate from the majoritarian House of Representatives. The Framers recognized that a minority can be right and that a majority can be wrong. They recognized that the Senate should be a true deliberative body, a forum in which to slow the passions of the House, hold them up to the light, examine them, and, through informed debate, educate the public. The Senate is the proverbial saucer intended to cool the cup of coffee from the House. It is the one place in the whole government where the minority is guaranteed a public airing of its views.

“Woodrow Wilson observed that the Senate’s informing function was as important as its legislating function. And now, with televised Senate debate, its informing function plays an even larger and more critical role in the life of our Nation. The Senate is often soundly castigated for its inefficiency, but, in fact, it was never intended to be efficient. Its purpose was, and is, to examine, consider, protect, and be totally independent—a totally independent source of wisdom and judgment on the actions of the lower House and on the executive. As such, the Senate is the central pillar of our constitutional system.

“The Senate is more important than any or all of us, more important than I am, more important than the majority and minority leaders, more important than all 100 of us, more important than all of the 1,843 men and women who have served in this body since 1789. Each of us has a solemn responsibility to remember that, and to remember it often.”

And finally, in a speech he gave on May 19, 2010, Senator Byrd said, “The Senate has been the last fortress of minority rights and freedom of speech in this Republic for more than two centuries. I

pray the Senators will pause and reflect before ignoring that history and tradition in favor of the political priority of the moment.”

I have that same prayer. I came to the Senate because this Nation is facing enormous challenges. You, in serving this Nation, will face enormous challenges. We simply cannot afford to damage this incredibly important institution, the United States Senate. And I hope our colleagues on the majority side contemplate exactly what they are doing.

But, with that, Mr. Chairman, I will turn it back over to you and look forward to the testimony.

Senator MURPHY. Thank you very much, Senator Johnson.

Let us go to our right to left, and we will start with Ambassador Nuland.

Welcome.

STATEMENT OF HON. VICTORIA NULAND, OF VIRGINIA, TO BE ASSISTANT SECRETARY OF STATE FOR EUROPEAN AND EURASIAN AFFAIRS

Ambassador NULAND. Thank you very much, Mr. Chairman, Ranking Member Johnson, all the members of this committee.

I am honored to come before you to be considered for the position of Assistant Secretary of State for European and Eurasian Affairs, and I am grateful for the confidence that President Obama and Secretary Kerry have shown in me. If confirmed, I pledge to work with all of you to protect and advance U.S. interests, in promoting security, prosperity, democracy, and human rights in Europe and Eurasia, and working with our allies and partners there to advance our shared global interests.

I am also delighted to share this panel today with my colleagues and friends, Doug Lute and Dan Baer. I can think of no better partners to provide vital U.S. leadership at our two essential transatlantic multilateral institutions.

As a lifetime Europeanist, I have witnessed firsthand some of the most profound moments of change in Europe and Eurasia. From my days as a young political officer in Moscow, when I stood on Red Square on New Year’s Eve in 1991, when the Soviet flag came down and the Russian flag went up, to the brutal wars in Bosnia and Kosovo, the enlargement of NATO and the EU, the creation of the euro. I know that, when Europeans and Americans join forces in defense of our common security and values, we are more effective than when we work alone, whether it is in Afghanistan, Iran, Mali, Burma, countering terrorism, promoting nonproliferation, good governance, human rights, development, health, or a cleaner planet. America needs a strong, confident Europe, and our European allies depend on America’s unwavering commitment to their security and our continued support for Europe’s prosperity, its cohesion, and its growth.

As we look at the agenda ahead of us, our first task is to revitalize the foundations of our global leadership and our democratic, free-market way of life. We need growth, we need jobs, on both sides of the Atlantic. The Transatlantic Trade and Investment Partnership, that Senator Murphy mentioned, that we began this year with the EU could support hundreds of thousands of additional jobs. But the T-TIP is about more than our economic

underpinnings. T-TIP is also a political and strategic investment in our shared future and our effectiveness as global leaders in the 21st century.

We have also got to focus on the unfinished work within Europe. Today, we have a real chance to capitalize on changing attitudes and circumstances to address the 40-year-old division of Cyprus. Kosovo and Serbia have made important commitments toward long-term reconciliation, and those deserve our support. And we must not break faith with other members of our European and Eurasian family, who have been trapped for too long in frozen conflicts and territorial disputes.

We must also do more to defend the universal values that bind us. The quality of democracy and rule of law in Europe and Eurasia is gravely uneven today; and, in some key places, the trends are moving in the wrong direction. If, as a transatlantic community, we aspire to mentor other nations who want to live in justice, peace, and freedom, we have got to be equally vigilant about completing that process in our own space.

And we must also continue to work together beyond our shores. As the President has said so many times, as you have said, Mr. Chairman, Europe is our global partner of first resort. Whether in Afghanistan, Libya, working on Iran, on Syria, the United States and Europe are strongest when we share the risk and the responsibility and, in many cases, the financial burden of promoting positive change.

When we can, we also have to work effectively with Russia to solve global problems. With respect to Iran, DPRK policy, Afghanistan, counterterrorism, and nuclear arms control, we have made progress in recent years, and the President's looking for opportunities to take our cooperation to the next level. However, we must also be very frank when we disagree with Russian policy, whether it is with regard to weapon sales to the Assad regime or with regard to the treatment of civil society, political activists, and journalists inside of Russia.

Finally, we have got to be attentive to the fast-changing energy landscape of Europe and Eurasia. We welcome the many steps that Europeans have taken to diversify their energy market. If confirmed, I will work to ensure that U.S. companies continue to play a leading role in this dynamic market. As the President said in Berlin last month, "Our relationship with Europe remains the cornerstone of our own freedom and security." If confirmed, I pledge to work with all of you to seize the opportunities before us to revitalize and deepen our ties with Europe and to ensure we continue, together, to have the will, the trust, and the capability to advance our shared security and prosperity and to meet our many global challenges together.

Thank you.

[The prepared statement of Ambassador Nuland follows:]

PREPARED STATEMENT OF VICTORIA NULAND

Thank you, Mr. Chairman, Ranking Member Johnson, and all the members of this committee. I am honored to come before you to be considered for the position of Assistant Secretary for European and Eurasian Affairs, and I am grateful for the confidence that President Obama and Secretary Kerry have shown in me. If confirmed, I pledge to work with all of you to protect and advance U.S. interests by

promoting security, prosperity, democracy and human rights in Europe and Eurasia, and working with our allies and partners there to advance our shared global interests.

I am also delighted to share the panel today with my colleagues and friends, Doug Lute and Dan Baer. I can think of no better partners to provide vital U.S. leadership at our two major TransAtlantic multilateral institutions.

As a lifetime Europeanist, I have witnessed firsthand some of the most challenging and profound moments of change in Europe and Eurasia's recent history—from my days as a young political officer in Moscow when I stood on Red Square on New Year's Eve 1991 as the Soviet flag came down and the Russian flag went up, through the bloody and agonizing Bosnia and Kosovo wars, to the birth of the EURO, and the enlargement of NATO and the EU to include much of Central Europe. I have also learned through decades of shared effort that when Americans and Europeans join forces in defense of our common security and values, we are stronger and more effective than when we work alone—from Afghanistan to Iran to Mali to Burma; from countering terrorism to promoting nonproliferation, good governance, human rights, development, health and cleaner planet. America needs a strong, confident Europe. And our European allies depend on America's unwavering commitment to their security, and our continued support for Europe's prosperity, cohesion, and growth.

As we look at the agenda that lies ahead of us, our first task with our European allies is to revitalize the foundations of our global leadership and our democratic, free market way of life. We need growth and jobs on both sides of the Atlantic. The TransAtlantic Trade and Investment Partnership that we began negotiating this week with the EU could support hundreds of thousands of additional jobs and strengthen our international competitiveness. But T-TIP is about more than our economic underpinnings. T-TIP is also a political and strategic investment in our shared future and our effectiveness as global leaders in the 21st century. When we break down trade barriers between us, we also strengthen our ability to raise international standards in favor of free and open societies.

We must also focus on the unfinished work within Europe. Today, we have a real chance to capitalize on changing attitudes and circumstances to address the 40-year-old division of Cyprus. Kosovo and Serbia have made important commitments toward long-term reconciliation, thanks to the good offices of EU High Representative Ashton. We need to support the full implementation of these agreements, and with them, the integration of both countries into European structures. Croatia's acceptance into the European Union last week sets a powerful example for other Balkan States. And we cannot break faith with other members of our European and Eurasian family who have been trapped for too long in frozen conflicts and territorial disputes.

We must also do more to defend the universal values that bind us. While all states in the EUR region hold elections and most have democratic constitutions, the quality of democracy and the rule of law in Europe and Eurasia is gravely uneven, and in some key places, the trends are moving in the wrong direction. Too many citizens do not feel safe criticizing their governments, running for office or advancing a vibrant civil society. In too many places, press freedom is stifled, courts are rigged and governments put their thumbs on the scales of justice. If, as a TransAtlantic community, we aspire to support and mentor other nations who want to live in justice, peace, and freedom, we must be equally vigilant about completing that process in our own space. Our democratic values are just as vital a pillar of our strength and global leadership as our militaries and our economies.

We must also continue to work together beyond our shores to advance security, stability, justice and freedom. As the President has said so many times, Europe is our global partner of first resort. Our investment together in a safe, developing, democratic Afghanistan is just one example. Even as we wind down the ISAF combat mission in 2014, we will keep our promise to support the ANSF and Afghanistan's political and economic development. More than a decade of deploying together in that tough terrain has also made our NATO alliance more capable, more expeditionary and better able to partner with countries across the globe. As we look to future demands on our great alliance—and they will come—we must build on that experience, not allow it to atrophy. In these difficult budget times, that will require working even harder to get more defense bang for our buck, Euro, pound, krone and zloty with increased pooling, sharing and partnering to ensure NATO remains the world's premier defense alliance and a capable coordinator of global security missions, when required.

America's work with European partners and the EU across Africa, in Asia, on climate and on so many other global challenges must also continue. Today, the most urgent focus of common effort should be in Europe's own backyard and an area of

vital interest to us all: the broader Middle East and North Africa. From Libya, to Tunisia, to Egypt, to Lebanon, to Iran, to Syria, to our work in support of Middle East peace, the United States and Europe are strongest when we share the risk, the responsibility and in many cases, the financial burden of promoting positive change. When we join forces with Canada, our Gulf partners and others, the effect is even stronger.

When we can, we must also work effectively with Russia to solve global problems. With respect to Iran, DPRK policy, Afghanistan, counterterrorism and nuclear arms control and nonproliferation, we have seen important progress in the past 4 years, and the President is looking for opportunities to take our cooperation to the next level. However, we must also continue to be frank when we disagree with Russian policy, whether it's with regard to weapons sales to the Assad regime in Syria or the treatment of NGOs, civil society and political activists or journalists inside Russia. And we must encourage the next generation of Russians and Americans to reject zero sum thinking, and instead invest in the ties of business, culture, and people that will create opportunities for both of us.

Finally, we must be attentive to the fast changing energy landscape of Europe and Eurasia, and the opportunities and challenges that brings. Europeans have taken important steps to diversify their energy market with new routes, new regulations, new power plants and LNG terminals, and investments in new energy sources. We welcome these developments, which are also creating opportunities for U.S. firms. If confirmed, I will work to ensure our companies continue to play a leading role in this dynamic market.

As the President said in Berlin last month, our relationship with "Europe remains the cornerstone of our own freedom and security. Europe is our partner in everything we do . . . and our relationship is rooted in the enduring bonds . . . (of) . . . our common values." In every decade since World War II those bonds have been tested, challenged and in some quarters, doubted. In every decade, we have rolled up our sleeves with our European Allies and partners and beat the odds. These times of tight money, unfinished business at home and competing priorities abroad are as important as any we have faced. If confirmed, I pledge to work with all of you to seize the opportunities before us to revitalize and deepen our ties with Europe, and to ensure we continue to have the will, the trust, and the capability to advance our shared security and prosperity and to meet our many global challenges together.

Senator MURPHY. Thank you.
General Lute.

**STATEMENT OF DOUGLAS EDWARD LUTE, OF INDIANA, TO BE
UNITED STATES PERMANENT REPRESENTATIVE ON THE
COUNCIL OF THE NORTH ATLANTIC TREATY ORGANIZATION**

General LUTE. Thank you, Mr. Chairman, Ranking Member Johnson, and all the members of this committee.

I am honored to be considered, today, for the position of Permanent Representative to the North Atlantic Treaty Organization. I am grateful for the confidence that President Obama has shown in my nomination. And, if confirmed, I pledge to work with all of you to represent, faithfully, America's interests in NATO, the alliance that, since 1949, has served as the cornerstone of our security interests.

It is a privilege today to sit here and appear alongside Victoria Nuland and Daniel Baer, two distinguished colleagues. If we are confirmed, the three of us will join the corps of U.S. officials devoted, full-time, to securing our interests in Europe and beyond. I could have no better teammates.

At the outset, I want to recognize and thank my wife, Jane, who joins me here today, along with my sister, Pat. Jane recently completed service as the Deputy Secretary at the Department of Homeland Security. Her public service also includes work in several foundations and over 6 years in the United Nations Department of Peacekeeping Operations. Together, we have served the Federal

Government for a combined total of nearly six decades, with both of us beginning as Army officers right out of college. We both took initial assignments in Germany at the height of the cold war; Jane in Berlin, and I along the East-West German border. I would not be here today without her support.

This opportunity for me to serve once again with NATO began with that first assignment in Germany, and it continues to this day. I was in Germany when the wall fell, in 1989. I remember well that, on September 11, 2001, NATO, for the first time ever, invoked Article V of the Washington Treaty in response to the terrorist attacks here in America, demonstrating that an attack on one is an attack on all. Later, I commanded U.S. forces in NATO's Peace Enforcement Mission in Kosovo, an important crisis response on the periphery of NATO. Most recently, I have spent the last 6 years in the White House, focused on the wars in Iraq and Afghanistan, where, again, NATO has played important roles. If confirmed, I look forward to this opportunity to proudly serve my country again in NATO.

Much has changed in Europe over the past several decades, but there has been one cornerstone for transatlantic security: NATO. Large multilateral institutions like NATO do not adapt quickly or easily; yet, in the last 20 years, we have seen NATO adjust to the end of the cold war, expand its membership to former enemies, extend its reach to threats on its periphery, and adapt its defense structures to emerging threats. No one would have believed, in 1989 when the wall fell, that NATO would conduct operations in places like the Balkans, Afghanistan, and Libya.

Serious challenges lie ahead for NATO. The key operational challenge is Afghanistan, where NATO leads, today, a coalition of 50 nations. We are on a path to pass full security responsibility to Afghan forces by the end of 2014, next year. This is a path set by NATO and the Afghans, together, at the Lisbon summit in late 2010, and it was refined last year in Chicago.

Several weeks ago, the Afghans reached a very important strategic milestone along that path as they assumed the lead for security across the entire country, with NATO passing into a support-and-advisory role. But, the military campaign is only one part along this path, and it represents only one variable in a very complex equation that includes: political transition that culminates next April in the Presidential elections; it includes economic transition, which has Afghanistan adjusting to the reduced presence of Western forces; it includes a political process that explores the potential of the Afghan Government talking to the Taliban, with an effort to bring an Afghan solution to this conflict. Finally, Afghanistan lives in a very tough neighborhood, and regional dynamics will play a major role.

None of this work will be completed in the next 18 months, by December 2014, so NATO and the United States are both planning for a military presence beyond 2014, with a mission to continue to train, advise, and assist Afghan forces. Such a post-2014 mission requires a political agreement with the Afghan Government, and our negotiators are making progress in advance of next year's Afghan election season. Afghanistan has been NATO's largest oper-

ation. Drawing it to a responsible close will be a significant challenge in the next several years.

NATO also faces a fundamental policy challenge, and that is the growing gap between NATO's mission and the resources allies commit to fulfilling that mission. This ends/means gap is centered on the imbalance between America's defense resources committed to the alliance and those of the other allies. All 28 members of the alliance benefit from that membership. All 28 have to contribute equitably. This is especially true as NATO recovers from a decade of operations in Afghanistan and faces new challenges, like missile defense and cyber security.

There are ways to approach this challenge, including smart defense, pooling and sharing high-end resources, and exploring specialization among allies, and, finally, nurturing partnerships that extend the reach of NATO beyond the core 28 members. But, this ends/means gap may be the most severe challenge the alliance has faced since the end of the cold war.

NATO operates on a firm foundation of shared democratic values that bind together the 28 member nations. Because of these shared values, I am confident that NATO can, today, fulfill its three core tasks—collective defense, crisis management, and cooperative security—while also addressing the challenges of the future. If confirmed, I will do my best to represent American interests in the most successful, most durable alliance in history, the North Atlantic Treaty Organization. I ask for this committee's support.

[The prepared statement of General Lute follows:]

PREPARED STATEMENT OF DOUGLAS LUTE

Thank you, Mr. Chairman, Ranking Member Johnson, and all the members of this committee. I am honored to be considered for the position of Permanent Representative to the North Atlantic Treaty Organization (NATO). I am grateful for the confidence that President Obama has shown in me by this nomination. If confirmed, I pledge to work with all of you to represent faithfully America's interests in NATO, the alliance that since 1949 has served as the cornerstone of our security interests.

It is a privilege to appear alongside Victoria Nuland and Daniel Baer, two distinguished colleagues. If we are confirmed, the three of us will join the core of U.S. officials devoted full time to securing our interests in Europe and beyond. I could have no better teammates.

At the outset, I want to recognize and thank my wife, Jane, who joins me here today. Jane recently completed service as the Deputy Secretary of the Department of Homeland Security. Her public service also includes work in several foundations and over 6 years in the United Nations Department of Peacekeeping Operations. Together we have served the Federal Government for a combined total of over six decades, with both of us beginning as Army officers right out of college. We both took initial assignments in Germany, Jane in Berlin and I along the East-West German border, at the height of the cold war.

This opportunity for me to serve once again with NATO began with that first assignment and continues to this day. I was in Germany when the Wall fell in 1989. I saw Germans from the east walk across no-mans-land to buy fresh fruit in the west. I remember well that on September 11, 2001, NATO for the first time ever invoked Article V of the Washington Treaty in response to the terrorist attacks here in America, demonstrating that an attack on one is an attack on all. Later I commanded the U.S. forces in NATO's peace enforcement mission in Kosovo, a crisis response mission on the periphery of NATO. Most recently, I have spent the last 6 years in the White House focused on the wars in Iraq and Afghanistan, where again NATO has played key roles. If confirmed, I look forward proudly to this opportunity to serve my country again in NATO.

Much has changed in Europe over the past several decades, but there has been one cornerstone for trans-Atlantic security—NATO. Large multilateral institutions like NATO do not adapt quickly or easily. Yet in the last 20 years we have seen NATO adjust to the end of the cold war, expand its membership to former enemies,

extend its reach to threats on its periphery, and adapt its defense structures to emerging threats. No one would have believed in 1989 when the Wall fell that NATO would conduct operations in the Balkans, Afghanistan, and Libya.

Serious challenges lie ahead for NATO. The key operational challenge is Afghanistan, where NATO leads a coalition of 50 nations. We are on a path to pass full responsibility to Afghan forces by the end of 2014, a path set by NATO and the Afghans at the Lisbon summit in late 2010 and refined last year at the Chicago summit. Several weeks ago the Afghans reached a strategic milestone along that path as they assumed the lead for security across the entire country, with NATO passing into a support and advisory role. But the military campaign is only one part of a complex equation to stabilize Afghanistan and ensure it is not a safe haven for al-Qaeda. The outcome will not rely solely on NATO. Perhaps most important, Afghan political transition culminates next April in the Presidential elections. Economic transition must adjust to the reduced presence of NATO forces. A political process that explores the possibility of Afghan Government talks with the Taliban is struggling at its outset. Finally, Afghanistan lives in a tough neighborhood, and regional dynamics will play a major role. None of this work will be fully completed in the next 18 months, so NATO and the United States are planning for a military presence beyond 2014, with the mission to continue to train-advise-assist the Afghan forces. Such a post-2014 mission requires a political agreement with the Afghan Government and our negotiators are making progress in advance of the Afghan election season. Afghanistan has been NATO's largest operation. Drawing it to a responsible close will be a significant challenge in the next several years.

NATO also faces a fundamental policy challenge—the growing gap between NATO's mission and the resources allies commit to fulfilling that mission. This ends-means gap is centered on the imbalance between America's defense resources committed to the alliance and those of other allies. All 28 members benefit from the alliance; all 28 have to contribute equitably. This is especially true as NATO recovers from a decade of operations in Afghanistan and faces new challenges like missile defense and cyber security. There are ways to approach this challenge, including “smart defense,” pooling and sharing high-end resources, exploring specialization among allies, and nurturing partnerships beyond the core 28 members. This ends-means gap may be the most severe challenge the alliance has faced since the end of the cold war.

As we look to the future, the alliance is committed to keeping open the door to NATO membership. Our position is clear: Membership must be earned. Candidate nations must meet standards.

Beyond adding new members, NATO effectively extends its reach through partnerships based on reciprocity, mutual benefit, and mutual respect. Today NATO's partners include countries from the Middle East, Africa, and from across Asia. These partnerships broaden and increase the flexibility of NATO-led coalitions, expand and diversify NATO's political influence, and are a vehicle to emphasize common values. Recent NATO operations in Afghanistan and Libya have benefited from significant partner contributions.

NATO's partnership with Russia—the NATO-Russia Council—provides an important venue for frank political dialogue and can lead to practical cooperation, as in Afghanistan today. Areas of cooperation include counterterrorism, counternarcotics and nonproliferation. This partnership also faces challenges including missile defense cooperation and defense transparency. The NATO-Russia Council remains an important channel to address mutual interests and potential areas of cooperation.

NATO operates on a firm foundation of shared democratic values that bind together the 28 member nations. Because of these shared values, I am confident NATO can today fulfill its core tasks of collective defense, crisis management and cooperative security, while addressing the challenges of the future. If confirmed, I will do my best to represent American interests in the most successful, most durable alliance in history, the North Atlantic Treaty Organization. I ask for this committee's support.

Senator MURPHY. Thank you, General.
Dr. Baer.

**STATEMENT OF DANIEL BROOKS BAER, OF COLORADO, TO BE
U.S. REPRESENTATIVE TO THE ORGANIZATION FOR SECURITY
AND COOPERATION IN EUROPE**

Dr. BAER. Thank you, Mr. Chairman, Mr. Ranking Member, and members of this committee.

It is an honor to come before you as the President's nominee to serve as the United States Permanent Representative to the Organization for Security and Cooperation in Europe, and I am grateful for the confidence that President Obama and Secretary Kerry have expressed through this nomination.

I am humbled to be here in front of you, and also humbled to be here with two great American public servants, Ambassador Nuland and Ambassador-designate Lute. If we are confirmed, I look forward to working with each of them, and with all of you, to advance U.S. interests.

I have worked closely with Toria over the last few years, and she has been, not only a great friend, but a great partner in fighting for human rights. I would also like to acknowledge my family—my parents, thank them for the investment of love and resources in my future; my wonderful siblings; my sister, Marrett, who is here today—and my partner, Brian, who, though seated three rows behind me, is always standing beside me.

Mr. Chairman, for the past 4 years, I have had the privilege of serving as Deputy Assistant Secretary in the State Department's Bureau of Democracy, Human Rights, and Labor. In this capacity, I have welcomed the opportunity to contribute to a long tradition, sustained through both Republican and Democratic administrations, of putting human rights at the center of U.S. foreign policy. This experience has deepened my conviction that human rights must be at the core of any successful long-term strategy for peace and security, and that U.S. leadership is as crucial today as it was when Eleanor Roosevelt helped draft the Universal Declaration of Human Rights almost 70 years ago. There is no genuine security or lasting peace in the absence of respect for human rights and adherence to the rule of law. Recent history has shown us that the apparent stability afforded by repressive regimes is illusory, and, because of this, when states violate the rights of their citizens and fail to uphold international obligations, it is not merely internal affairs, but the rightful concern of the entire international community.

The OSCE is unique in having embraced a comprehensive approach to security at its founding and is the only regional security organization that places the political/military, economic and environmental, and human dimensions of security on an equal footing. The 57 participating states have recognized that whether and how an OSCE state is implementing its commitments is a legitimate concern for all participating states. This principle is part of a broader framework of highly elaborated human rights, cooperative security, and rule-of-law norms that are reflected in the mandates of OSCE institutions and field operations, enabling them to respond to a range of challenges, from attacks on media freedom to ethnic tensions across the OSCE, from Vancouver to Vladivostok. From election observation to arms control, military transparency, and confidence-building regimes, from the quiet diplomacy of the

High Commissioner on National Minorities to the exchange of technical expertise in combating trafficking, supporting women entrepreneurs, or maintaining border security, the OSCE's resources encompass expertise and established habits of cooperation that cannot be replaced, recreated, or duplicated.

Challenges to security, human rights, and rule of law are prevalent across the OSCE space, including intolerance and xenophobia, corruption, flawed elections, declining military transparency, and unresolved conflicts. Some participating states are failing to uphold and implement their commitments, including as they relate to fundamental issues, such as media freedom and the role of civil society. This is troubling, but it cannot, and does not, change the fundamental truth on which the OSCE is based, that the three dimensions of security are interconnected and must be advanced together. Shortcomings reinforce the fact that the work goes on and that we need the OSCE to continue to address challenges in a practical, principled manner in order to achieve true comprehensive security for all citizens throughout the OSCE space.

If confirmed, in all my efforts my priority will be to leverage and strengthen the OSCE as an institution that efficiently and effectively advances American and European interests.

Ambassador Nuland and Ambassador-designate Lute have laid out the enduring and unquestionable U.S. interests in a strong, democratic, prosperous, and secure Europe as a central component of maintaining our own national security in the 21st century. By supporting robust and deep transatlantic ties through our bilateral diplomacy, maintaining the strength and agility of our NATO alliance, and continuing to advance transatlantic cooperation through a comprehensive approach to security issues like those at the center of the OSCE's work, the U.S./European relationship will remain a foundation for progress toward a more peaceful and democratic world.

Thank you again for having me. If confirmed, I will look forward to working with members of this committee and, of course, with the Helsinki Commission. And I welcome your questions.

[The prepared statement of Dr. Baer follows:]

PREPARED STATEMENT OF DANIEL B. BAER

Thank you, Mr. Chairman, Mr. Ranking Member, and members of the committee.

It is an honor to come before this committee as the President's nominee to serve as the United States Permanent Representative to the Organization for Security and Cooperation in Europe (OSCE), and I am grateful for the confidence that President Obama and Secretary Kerry have expressed through this nomination.

I am humbled to be here in front of you, and also humbled to be in such good company, with Ambassador Nuland and General Lute. I look forward to working with each of them—and with you—to advance U.S. interests if we are confirmed. I have worked closely with Toria over the last few years, and she has been not only a great friend but also a great partner in fighting for human rights.

Mr. Chairman, for the past 4 years I have had the privilege of serving as a Deputy Assistant Secretary in the State Department's Bureau of Democracy, Human Rights and Labor. In this capacity, I have welcomed the opportunity to contribute to a long tradition—through both Democratic and Republican administrations—of putting human rights at the center of U.S. foreign policy and to be part of that team that helps shape our response to emerging human rights challenges, such as growing threats to Internet freedom.

This experience has deepened my conviction that human rights must be at the core of any successful long-term strategy for peace and security, and that U.S. leadership in advancing human rights is as critical today as it was when Eleanor

Roosevelt helped draft the Universal Declaration of Human Rights almost 70 years ago. Today, no serious observer can doubt the link between human rights and security. We know that respect for human rights cannot be relegated to the “nice to have, but not essential” category, because there is no genuine security in the absence of respect for human rights and adherence to the rule of law. Recent history has shown us that the apparent stability afforded by repressive regimes is often proven illusory. And we know that because of this, when states violate the rights of their citizens and fail to uphold their international human rights obligations, it is not merely “internal affairs” but the rightful concern of the entire international community.

The OSCE is unique in having embraced this comprehensive approach to security at its founding, and is the only regional security organization that places the human, economic and environmental, and political-military dimensions of security on an equal footing. The 57 participating States of the OSCE have recognized that whether and how an OSCE State is implementing its OSCE commitments is a legitimate concern for all participating States.

This principle is part of a broader framework of highly elaborated human rights, cooperative security, and rule of law norms that are reflected in the mandates of the OSCE institutions and field operations, enabling them to respond to a range of challenges—from attacks on media freedom to ethnic tensions—across the OSCE—from Vancouver to Vladivostok. From election observation to arms control and military transparency and confidence-building regimes; from the quiet diplomacy of the High Commissioner on National Minorities to the exchange of technical expertise in combating trafficking, promoting good governance in the public and private sector, supporting women entrepreneurs, or maintaining border security; the OSCE’s resources encompass expertise and established habits of cooperation that cannot be replaced, recreated or duplicated.

Over almost four decades—from its origin at the signing of the Helsinki Final Act in 1975, to its emergence as the OSCE in 1990 when Europe and Eurasia were undergoing deep and turbulent transformation, we have witnessed enormous progress toward our goal of a Europe whole, free, and at peace. But there is still more work to be done.

The “Helsinki+40” process, a 3-year framework for action leading up to the 40th anniversary in 2015 of the signing of Helsinki, provides an opportunity for participating States to reaffirm existing OSCE commitments and to bolster the Organization across all three dimensions. Helsinki+40 should promote trust and mutual confidence in the political-military realm, help revitalize conventional arms control as well as confidence and security-building regimes, and seek to address the protracted conflicts in the OSCE space. The security afforded to OSCE participating States is often uneven, particularly in the so-called “gray zones” of Europe. We should aim to rebuild an environment at the OSCE where military transparency is the norm, creating a more stable security environment for all.

In the economic and environmental dimension, we will maximize fully the OSCE’s unique position to leverage the connection between human rights, accountable and responsive government, and economic prosperity. We will continue to promote good governance and prioritize the organization’s work to improve trade and transport connections, notably at border crossings, where good governance practices and efficient customs procedures are helping to increase trade volumes between participating States and improve income generation for small business entrepreneurs.

If confirmed, I will work with my colleagues across the administration, as well as in Congress, to advance a vision that preserves what we value most about the OSCE, including its comprehensive approach to security, while developing a strategic framework that addresses 21st century challenges, leveraging U.S. resources together with those of our partners to achieve results. And even as we aim to rebuild an environment at the OSCE where military transparency is the norm, the OSCE can leverage its security cooperation experience and knowledge, reaching out to other regions on measures for nonproliferation of weapons of mass destruction and confidence- and security-building regimes.

Challenges to security, human rights and rule of law are prevalent across the OSCE space including intolerance and xenophobia, state-sponsored corruption, flawed elections, declining military transparency, and unresolved conflicts. Some participating States are failing to uphold and implement their commitments, including as they relate to fundamental issues such as media freedom, investigative journalism and the role of civil society. This is troubling. But it cannot and does not change the fundamental truth on which the OSCE is based: that the three dimensions of security are interconnected and must be advanced together. Shortcomings reinforce the fact that the work goes on, and that we need the OSCE to continue

to address challenges in a practical, principled manner, in order to achieve true, comprehensive security for all citizens throughout the OSCE space.

I know that some experts and some OSCE states have expressed doubts about the Organization's efficiency and effectiveness. We need to make a clear-eyed assessment of the OSCE and address these concerns. We should deal with challenges in a practical way that reaffirms our shared values and principles. The OSCE remains the only regional organization that includes all of Europe and Eurasia as well as Canada, the United States, and most recently Mongolia. Though its scope can make consensus difficult, it also makes the organization that much more powerful when we find ways to address challenges together.

And we should remember that when shared political will exists, the results are impressive. The OSCE's role in facilitating the peaceful participation in Serbian elections for dual nationals in Kosovo last year is a case in point. Based on the OSCE's success in that challenging mission, the EU has called on the organization to help administer local elections in northern Kosovo this fall, a key aspect of the recent normalization agreement between Serbia and Kosovo.

Looking to the decade ahead, the OSCE has the potential to play a pivotal role in advancing interests we share with OSCE participating States, including support for democratic development, economic integration, and security in Central Asia, as well as contributing to ongoing transitions on the periphery of the OSCE space among our Mediterranean Partners and in Afghanistan. The OSCE has expertise and experience that is directly relevant to our Partners' aspirations.

In all of my efforts, if confirmed, my priority will be to strengthen the OSCE as an institution that efficiently and effectively advances American and European interests in maintaining and deepening comprehensive security. The sustained commitment of the United States and other like-minded democracies is essential to the establishment of rights-respecting and sustainable institutions, military transparency and cooperative security, increased engagement with civil society, and greater adherence to rule of law and respect for human rights across the OSCE space. No state can achieve this outcome alone; we need strong partners and organizations such as the OSCE.

Ambassador Nuland and Ambassador-designate Lute have laid out the enduring and unquestionable U.S. interest in a strong, democratic, prosperous and secure Europe as a central component of maintaining our own national security in the 21st century. By supporting robust and deep transatlantic ties through our bilateral diplomacy; maintaining the strength and agility of our NATO alliance; and continuing to advance trans-Atlantic cooperation through a comprehensive approach to security issues like those at the center of the OSCE's work, the U.S.-European relationship will remain a foundation for progress toward a more peaceful and democratic world.

Thank you again for having me and I welcome your questions.

Senator MURPHY. Thank you, again, to all of our nominees.

Let me start with questions to you, Ambassador Nuland. Let me draw on your years of expertise with respect to Russia. This is an immensely important relationship; and, given all of the attention on the disputes we have, it sometimes belies the fact that we are actually at work with them on a variety of issues in which we have deep mutual interests, whether it be antiterrorism efforts, missile defense, or the work we have done together with respect to Afghanistan.

That being said, as I mentioned in my opening statement, we cannot let them off the hook with respect to the fairly severe downward turn that the Kremlin's take on civil society has undergone. As I have said before, if you are sitting in front of a court today accused of political crimes, you are less likely to be acquitted than you were during the Great Purge.

So, we can attack the issue of United States-Russia relations from a number of perspectives, but let me ask you to talk about this. What are the right pressure points upon Russia to try to turn around, I think, this very detrimental turn that has come in the way in which Putin and others are treating civil society and political dissidents?

Ambassador NULAND. Well, thank you, Senator. I certainly share your concern about the internal political environment in Russia. As I said at the outset, I agree with you, as well, that, wherever we can, as we tried to do with the Soviet Union, we have to try to work with Russia in our common interests. And we have had some success in that regard, particularly on some of the foreign policy issues that we share.

With regard to our support for democratic change, for reform, for those speaking out for a pluralistic society with rule of law, we have to, despite the environment, continue to do what we can to work with those Russians who are willing to work with us. If we are not able to support them as fully as we used to inside Russia, we still need to make support available in other ways. And I will, if confirmed, be eager to work with all of you on this committee to look for more ways to do that.

In addition, we have to speak out, as you said and as I said in my opening, when we disagree. And we have to work more intensively and more cohesively with our European allies and partners, because, when we speak together about our concerns, our voice is even stronger.

Thanks.

Senator MURPHY. Let me ask you one question about the trade agreement. How worried are you about the ability of Europe to be on the same page throughout these negotiations? We have seen, just over the past week, France seems to—at every turn, trying to—try to find an excuse to postpone or maneuver the beginning stages of these negotiations. There are two sets of negotiations happening; one between European nations and one between the United States and Europe. What is your role, in coordination with the Trade Representative, in trying to make sure that Europe speaks with one voice throughout these negotiations?—which is the only way that we are going to end up getting a product which is as big and bold as we all hope we can get.

Ambassador NULAND. Thank you, Senator. Well, you are right that, on the one hand, it is a bilateral trade agreement between the United States and the European Union, but it is obviously a trade agreement between the United States and the 28 member states of the European Union, if we are able to be successful. So, we do have an interest in the European position remaining clear, remaining cohesive. I think we have a role to play, at the State Department, through our 28 embassies, in continuing to help make the case, along with our colleagues in USTR who lead these negotiations, for a trade agreement that will increase jobs on both sides of the Atlantic, and will reduce barriers. We need to be coordinated in the way we use our public diplomacy and the way we work with business groups on both sides of the pond.

And, as I have said in some of my calls to meet some of you in advance of this hearing, I also hope that we will have bipartisan support in the Senate and in the House for working closely with parliamentarians in Europe, and particularly with Members of the European Parliament, who will have responsibilities for ratifying this agreement. I know some of them were here to see some of you, just in the last week, and we thank you for taking the time to do that.

But, we are going to have to provide a clear sense of the landscape in Europe and where we have points of agreement, where we have difficulties emerging in member states from our embassies. And we are going to have to provide a strong American voice out in Europe through our embassies. And I look forward to supporting USTR and Mr. Froman in that regard, from EUR, and also working with our Under Secretary for Economic Affairs at the Department.

Senator MURPHY. Well, Senator Johnson and I have already led several of those conversations with our parliamentary colleagues from Europe. We hope that we will continue that.

General Lute, I think, today there is only about three or four nations in NATO that are at the targeted percentage of GDP dedicated to defense. And clearly, the way things are going with respect to the European economy, we probably cannot bet on that number getting any better. So, we are having a conversation, one that occurred in Chicago at the last summit, about specialization.

The Europeans, though, believe that that has to be a two-way street, that if they are going to be asked to specialize, so should we, and that we might, as part of that negotiation, consider giving up some of our capabilities on, maybe, some nonintegral defense platforms, to our European allies.

Talk to me about both the European and the American will to get into a serious conversation about specialization, which ultimately could solve the problem, today, of the United States picking up 75 percent of the tab for NATO.

General LUTE. Thank you, Senator. I think the specialization argument largely hinges on different views of a balance—different views among the 28—of a balance between full-spectrum ability by each of the 28 to fulfill their Article V commitments for mutual defense. And, on the one hand, those capabilities, balanced against, as you—suggesting, increased efficiency across the 28, by way of specialization—national specialization.

If you look at the 28 allies today, clearly the United States has full-spectrum capacity in every defense realm. But, there are only a couple of other allies that even approach that. And even those who approach the full-spectrum capability can do so for only limited durations before they again rely on us.

I think the Secretary General and NATO already have begun to move down the path of some specialization. You see this by way of the pooling of resources, especially high-end, high-tech, expensive niche capabilities, like the airborne—or, air-ground surveillance system, based on the pooling of resources to buy the Global Hawk surveillance aircraft; you see it with AWACs; you see it with the C-17 pool of lift resources.

I must tell you that, in my view, we should not relent on the 2-percent goal. We should let no one off the hook, that equal membership means equal contributions. And 2 percent is the standard. But, at the same time, we should pursue these kinds of efficiencies, that it could include national specialization, because the reality is that the economic pressures across the 28 members is not likely to relent in the next 5-plus years.

Senator MURPHY. Including on this Nation, as well.

General LUTE. Exactly.

Senator MURPHY. I have run out of time, so I will turn it over to Senator Johnson.

I will just mention that we may have votes, at some point over the course of this hearing. We hope that not to be the case, but, if we do have time for a second round—we will have to inquire—you, Dr. Baer.

Turn it over to Senator Johnson.

Senator JOHNSON. Thank you, Mr. Chairman.

And again, I would like to thank all the nominees for taking time to meet with me. I enjoyed the conversations. And again, I appreciate your service to the country.

And, Ambassador Nuland, I particularly want to say thank you for coming in, you know, during, kind of, the height of the talking-points controversies, sitting down with me in my office and explaining a few things.

Unfortunately, there are an awful lot of questions that still remain about what happened following Benghazi, and, quite honestly, even before it. For example, we still have not been given the names or access to the survivors. I asked General Dempsey, in a Budget Committee hearing, you know, really what was the status of the commander in-extremis force that was on patrol in—or, actually, on training in Croatia. Still have not found out what the end-plus time was, in terms of their ready reaction. So, there are still an awful lot of questions.

And, you know, during the hearings of this full committee, both—with Secretary Clinton, in response to my question, when she uttered, you know, “At this point, what difference does it make?”—or, I guess, “At—what difference, at this point, does it make?”—the question I have is, Do you believe that, in your role representing the United States Government, that the American people deserve the truth out of members of the administration?

Ambassador NULAND. Senator, the American people deserve the truth, this body deserves the truth, those of us who were friends of the victims, as I was, deserve the truth, yes.

Senator JOHNSON. In reviewing the change from the talking points—original talking points, and how they were sanitized—it is pretty remarkable how sanitized they really were. And I know you had some participation in there. In your September 14 e-mail, it states that changes made to the CIA talking points still, “don’t resolve all of my issues or those of my building leadership.” Can you just tell me who that “building leadership” was? who you were referring to there?

Ambassador NULAND. Senator, I very much appreciate the opportunity to talk about my role in the talking-points issue. With your forbearance, I would like to give a little bit of background before I answer your specific question.

First, I just want to make clear that, when I was reviewing these talking points, which was only on the Friday evening of September 14, they were not for a member of the administration to use; they were talking points that the CIA was proposing to give to members of the House Intelligence Committee—

Senator JOHNSON. Correct.

Ambassador NULAND [continuing]. To use. Right? So, that was the first thing.

Second, I was not in a policy role in this job; I was in a communications role. So, my responsibilities were to ensure consistency of our public messaging, but not to make policy. So, I never edited these talking points, I never made changes. I simply said that I thought that policy people needed to look at them.

Also by way of background, by the time Friday came around, as spokesperson for the Department, I had already given three public briefings on Benghazi. The first was on Wednesday evening. I gave a background briefing in which I clearly said that this had been a complex attack, it was an attack by extremists. Then I gave two briefings at the podium: my regular midday briefing on Thursday, and my midday briefing on Friday. In those briefings, I was on agreed interagency talking points in which I noted, again and again, our firm commitment to investigate, fully, what had happened. But, I declined to give any more details, citing the need to have a full investigation, and particularly the integrity of the FBI's investigation.

So, when I saw these talking points on Friday night, just a few hours after that had been my guidance, they indicated a significant evolution beyond what we had been saying at noon. And it was on that basis that I raised three questions, in my communications role.

The first was—and, again, these were for Members of the House to use, not for an administration official to use—so my first question was with regard to consistency. It struck me as strange that we were giving talking points to Members of the House that went considerably further than what we, in the administration, had been saying at that point. And I felt that if House Members were going to say this, we, government communicators, should be able to say it, too.

The second was that I had been under very tight guidance that we must do and say nothing that would prejudice the integrity of the FBI's investigation, so I wanted to make sure that the CIA had actually checked with the FBI and Justice, and that they were comfortable with these talking points.

The third concern that I had was with regard to the second-to-last paragraph of the talking points, as I was looking at them, which made reference to past agency reporting about the situation in Benghazi. And, frankly, Senator, I looked at them, and they struck me as a partial rendering of some of the background information behind the situation, and I was concerned that giving them to the—out this way would encourage Members of Congress and members of the public to draw inaccurate conclusions about our respective agency's role in the entirety of the Benghazi issue. So, I did not change them—

Senator JOHNSON. OK, let us not—

Ambassador NULAND [continuing]. I did not edit them—

Senator JOHNSON. OK, I appreciate that, but—

Ambassador NULAND [continuing]. Yes.

Senator JOHNSON [continuing]. I think your specific quote in your e-mail about that penultimate point was that you were concerned that Members of Congress would beat the State Department. So, you were a little more concerned about the State Department getting beat up by Members of Congress than potentially getting the

truth out to the American people. I mean, that would be my concern, in terms of interpretation of that.

Ambassador NULAND. Sir, as I said, my concern was that this was not an accurate representation of the—

Senator JOHNSON [continuing]. OK.

Ambassador NULAND [continuing]. Full picture—

Senator JOHNSON [continuing]. But, again, let us—

Ambassador NULAND [continuing]. That they were—

Senator JOHNSON [continuing]. Just get back to some facts.

Ambassador NULAND. Yes.

Senator JOHNSON. So, who would be the “building leadership” that were not—or that were not satisfied with the resolution of suggested changes to the talking points? Who would those people be?

Ambassador NULAND. So, after my first e-mail with these concerns, the agency came back with another draft, but that draft continued to make reference to the past agency reporting that I thought was a prejudicial way of characterizing it. So, it was on that basis that I raised objections again.

Senator JOHNSON. OK, but—

Ambassador NULAND [continuing]. And here, this was—

Senator JOHNSON [continuing]. Ambassador Nuland, I am running out of time, so, you know, I—

Ambassador NULAND [continuing]. Yes.

Senator JOHNSON [continuing]. I just really wanted some—just facts. I mean, who were the “building leadership” that you are referring to that was not satisfied with the suggested changes? Who would those individuals be?

Ambassador NULAND. Again, I—

Senator JOHNSON. And then, further—because I will—the next question would be, Who was at the deputy’s meeting? Who were those people?

Ambassador NULAND. With regard to “building leadership,” I was concerned that all of my bosses at the policy level would—needed to look at these to see if they agreed with me that they were—

Senator JOHNSON. And who would those bosses be?

Ambassador NULAND [continuing]. Potentially inaccurate.

Senator JOHNSON. What about names? I mean, who were those individuals?

Ambassador NULAND. Well, obviously, as I reported to the full spectrum of Under Secretaries and Deputy Secretaries and everybody—

Senator JOHNSON. Were there particular—

Ambassador NULAND [continuing]. At the Department—

Senator JOHNSON. Were there particular people that were concerned about the changes that were not being made?

Ambassador NULAND. The only person that I consulted with that night was my regular reporting channel, with regard to issues that I was not able to solve at my level. So, our regular procedure, when I, as spokesperson, could not solve an issue at my level, was—or when I thought that there needed to be more policy input versus communications input—was to send my concerns up to the Deputy Chief of Staff for Policy. That is what I did that night. I—

Senator JOHNSON. And that—

Ambassador NULAND [continuing]. Did not—

Senator JOHNSON [continuing]. Person is?

Ambassador NULAND [continuing]. Consult with anybody else.

Senator JOHNSON. And that person is?

Ambassador NULAND. At the time, that was Jake Sullivan.

Senator JOHNSON. OK, thank you.

Ambassador NULAND. And he is on the e-mails, as you can see them, as they—

Senator JOHNSON. Thank you, Mr. Chairman.

Ambassador NULAND [continuing]. Were released to you.

Senator MURPHY. Thank you.

Senator Cardin.

Senator CARDIN. Thank you, Mr. Chairman.

Let me thank all three of our nominees for their extraordinary service to our country over many years. And we thank you for your willingness to assume these new responsibilities. And I particularly want to acknowledge your families, because this is a family sacrifice, and we very much appreciate your willingness, at this important juncture in American diplomacy, of taking on these responsibilities.

I want to spend a moment, since I have Mr. Baer and Ambassador Nuland here, to discuss the Helsinki Commission and human rights. I particularly want to acknowledge Senator McCain, on this day, where, as you might have seen, the Russian courts held Mr. Magnitsky guilty of certain crimes; whereas, the international community knows full well that Mr. Magnitsky was the victim.

My question, basically, to Mr. Baer and Ambassador Nuland, is that—we have worked very closely together, the administration and Congress, on human rights issues, good-governance issues, on economic-stability issues for countries in Europe, Central Asia, and partner countries within the OSCE, all coming under, Ambassador Nuland, your portfolio in the new position on which you have been nominated, and to, Mr. Baer, your responsibility in Vienna. I would like you to comment as to how important you see the relationship to the Helsinki Commission and to the Congress in the work that you do to advance the priorities of America in its participation in the OSCE.

Dr. BAER. Thank you very much, Senator Cardin, and thank you for your leadership on human rights across the world. The last time I testified for you was on Asia; and so, it is a pleasure to have a conversation about a different part of the world this time. And thank you for your leadership on the Helsinki Commission, as well.

I see the Helsinki Commission as one of the unique gifts that whoever is fortunate enough to be serving as the U.S. Ambassador to the OSCE has, because, if confirmed, it would be a real boon to be able to have that institutional connection to Congress that is really unique in the world. And, as you know, there is somebody from the Commission who serves on the staff of the mission in Vienna. There is also a detailee from the State Department who serves on the staff of the Commission. And there is, you know, an opportunity for open communication and collaboration on the full range of OSCE issues—political/military, economic/environmental, human rights issues—on an ongoing basis. And, if confirmed, that

is an asset that I would look forward to leveraging to the fullest extent.

Senator CARDIN. Thank you.

Ambassador NULAND. I fully agree with what Dr. Baer has said. In my long experience working with the Bureau and serving in Europe, Helsinki principles, the Commission, are the foundation of all we do together. They undergird our values. And when we stray from those values, all we need to do is look back at that document from 1975. So, I look forward to working on these issues with Dan, if confirmed, and with you, Senator, and with this whole committee.

Senator CARDIN. Thank you. One of the most challenging countries will be Russia. We have already talked about Russia a couple of times. Russia's participation within many international organizations has been challenging. They have committed to the Helsinki principles, but, at opportunities that they can undermine those principles, they have done that, whether it is election monitoring, whether it is the Magnitsky issues. Ambassador Nuland, as you are responsible, with the present administration, to develop agendas for the bilaterals and the international organizations, can you assure this committee that human rights with Russia will remain a high-priority issue?

Ambassador NULAND. Absolutely, Senator. I have never, in my career, been shy about speaking out about human rights, and I will certainly continue to do so, if confirmed.

Senator CARDIN. And, Mr. Baer, you are going to be confronted with some tough choices with Russia. They are going to say, "You need our consensus; therefore, back off," on different issues. Will you commit to us that the United States will stand strong on the human rights basket within the OSCE as it relates to Russia?

Dr. BAER. Senator, you have my full commitment to stand strong. It is part of the reason why I am interested in serving, is to stand strong for human rights.

Senator CARDIN. Thank you.

Mr. Chairman, I will yield back the balance of my time.

Senator MURPHY. Thank you.

Senator Risch.

Senator RISCH. Thank you.

Ms. Nuland, I do not want to dwell on the Benghazi question, but the Benghazi question is there, and it has not been answered. And I have got some questions maybe you can help me with.

The administration is focused on this—hiding behind a curtain of, "Oh, well, we are doing an investigation." And they have done that since day one on this. And, when we get briefed on stuff, this is the only situation, in my experience here, that they have done this.

Senator McCain and I sat in a briefing—what was it, a week after, or 10 days after? We had the Secretary of State, the head of the CIA, the number two in the FBI, and we asked them, "Who did this?" Because that was the question. The American people wanted to know who did this. Was this a protest gone bad, or was this, indeed, a terrorist attack? Which, of course, we all know it was. These people told us they did not know. Now, we are 10 days out, and they are telling us that they do not know.

Since then, we have run into a number of people who have said that they advised both the State Department and virtually every agency of government that it was, indeed, a terrorist attack, and they told them that in real time.

When was the first time that you were advised that this was a terrorist attack?

Ambassador NULAND. Senator, I do not recall the precise date that we moved to being confident that it was a terrorist attack, but I do recall that the President made reference, in that first week, to a terrorist attack, and I believe that Secretary Clinton did, as well, on the Friday. So, my talking points would obviously have derived from what they were ready to say and what the intelligence indicated.

Senator RISCH. Well, of course, Susan Rice was on TV, telling people that, indeed, they did not know whether it was a terrorist attack. You are aware of that, are you not?

Ambassador NULAND. I am aware of those programs, yes.

Senator RISCH. What other information did you have that this was a terrorist attack, and when did you get it, within the first 48 hours?

Ambassador NULAND. Senator, I just need to remind that I was not in a policy job, I was in a communications job at that time, so I was, frankly, not reading intelligence reporting, because it was difficult to keep one brain for the public and one brain privately. So, I was the conveyor of agreed policy and agreed decisionmaking about what we could say publicly. So, I really—you know, I think it was quite clear, when the President made his first reference to terror, that this is what we were dealing with. But, I never took an intelligence briefing, myself, that week.

Senator RISCH. Since then, have you gone back and looked at that intelligence information you had, that you had access to?

Ambassador NULAND. Sir, it was not something that I was privy to, because I did not need it in the jobs I was in.

Senator RISCH. Did you help in choosing Susan Rice to speak on the Sunday talk shows?

Ambassador NULAND. No, sir.

Senator RISCH. Did you brief her at all?

Ambassador NULAND. No, sir.

Senator RISCH. You had no conversations with her prior to—from the time of the attack until she appeared on the Sunday talk shows?

Ambassador NULAND. I had no conversations with Susan Rice, herself. I had—we had interagency discussion, which her staff participated in, on the days that I briefed, which was the Wednesday, the Thursday, the Friday. I never spoke to her. I, frankly, never saw the talking points that were prepared for her, in final form. As I said, when I saw the talking points, they were for members of the House Intelligence Committee.

Senator RISCH. Mr. Baer, Senator Shaheen and I had the honor and privilege of representing the United States at the October 1st elections in Georgia, as overseers. And we came back, gave our reports, and what have you. I was interested in the report from the OSCE on the subsequent elections that took place in April. And I

realize this is dated just July 9. It is dated Warsaw, July 9. Have you had an opportunity to review their report on this?

Dr. BAER. I have not yet, sir.

Senator RISCH. OK. Thank you.

Ms. Nuland, the Georgians are concerned regarding getting back Abkhazia and South Ossetia. I met with our Ambassador yesterday, and we had a robust discussion about this. What is your view of that situation and the likelihood that they are going to get back those two provinces in the near future?

Ambassador NULAND. Thank you, Senator. And thank you for taking time to see Ambassador Nordland. I appreciate that very much. We, as a Department, appreciate that.

Senator, the sovereignty and territorial integrity of Georgia is absolutely vital and essential. The United States has supported that from the moment of Georgia's independence. It is personally important to me. This was an issue that came up quite clearly when I was in the job as Special Envoy for Conventional Forces in Europe. And, as you may know, we were trying to look at how we might update that treaty, and we came to consensus within NATO about how that might be done. We came to consensus among most of the 35 members who were party to the treaty—36. But, we were unable to come to consensus with Russia because of the problems agreeing on territorial integrity issues, both with regard to Georgia and with regard to Moldova. And it was my judgment and my recommendation to the Secretary at that time that we call off the negotiations because it was not possible to settle the issue without impugning those basic principles of democracy in Europe.

Senator RISCH. Is there any plan, at this point, that you are putting forward, to assist the Georgians in recovering these two provinces? The Russians refuse to leave. Obviously, that is a huge issue. Do we have a plan in that regard?

Ambassador NULAND. Senator, we have been active in supporting efforts that Tbilisi, that the Georgians themselves, have initiated to try to reach out to the people of Abkhazia and the people of South Ossetia so that they can have a better understanding that their future would be bright in Georgia, itself, and to impact and give them a better understanding of the conditions in that country. Because, as you may know, the media environment is controlled pretty heavily. We will continue to do that, and we will be—continue to be guided by Georgian efforts to work on these issues.

Senator RISCH. Thank you.

My time is up. Thank all three of you for your service to the country.

Thank you, Mr. Chairman.

Senator MURPHY. Thank you.

Senator KAINE.

Senator KAINE. Thank you, Mr. Chair.

And, to the witnesses, my best. Thank you for your service.

Senators do a lot of things, but there are actually not that many things we do that are part of our written job description in the constitution. Article II, Section 2 says that the President shall make appointments to executive positions, and that that shall be done with the advise and consent of the Senate. That same section stipulates that "advise and consent" is supermajority when it is about

treaties, but not supermajority when it is about appointments. I wish you the best as we move forward. And it is good to be about this work.

General LUTE, my questions are really going to be, for you, about Afghanistan, because of the karma of a Foreign Relations Committee meeting I was in earlier today, in the same room, that was all about Afghanistan. We heard a number of witnesses—Ambassador Dobbins, Dr. Peter Lavoy, Stephen Hadley, former National Security Advisor, Ahmad Nadery, from an elections foundation—Free and—Elections Foundation in Afghanistan, and Sarah Chayes, from the Carnegie Endowment for International Peace. I asked a basic, kind of, threshold question of the witnesses, to which they all agreed, and I wonder if you do, and that question was, Was it their opinion that a strong majority of the Afghanistan population wanted there to be a residual United States and NATO force, post 2014? And they all said that they believed a strong majority of the Afghan population wanted that. Is that your sense, as well?

General LUTE. It is, Senator. And all our opinion polling and our work across the political spectrum in Afghanistan supports that view.

Senator KAINE. And just—I know, from your background, that you were—you have been deeply involved in questions about Iraq, as well. Was there similar polling done or a similar effort to undertake what the Iraqi population sense was about that question?

General LUTE. I do not know that there is a close parallel with the Iraq experience in this regard. There certainly was among the two political classes, the two political elites, the two sets of political elites. I do not recall, from my Iraq experience, that kind of countrywide opinion poll—

Senator KAINE. And just—

General LUTE [continuing]. Popular opinion.

Senator KAINE [continuing]. Just from your—and regardless of polling, just from your experience in the area, do you have a sense, of your own, about the Afghan population for a desire for a follow-on residual force, versus that desire in the Iraqi population at the time?

General LUTE. I think there are two things that clearly underline Afghan interest in a continuing Western presence of some sort beyond 2014. One is the question of just raw resources. The Iraqi people always knew that they did not really require external resources to prosper as a nation, and clearly the Afghans know that they do require external resource.

The other thing is the neighborhood. Iraq lives in a difficult neighborhood. But, I would argue, Afghanistan lives in a worse neighborhood.

Senator KAINE. Yes.

General LUTE. And it is very clear, from even the last 30 years of experience, that all Afghans understand that very clearly.

Senator KAINE. General Lute, your opening testimony talked a little bit about the need for the residual force. And there is obviously all kinds of debates going on about potential size, and I am not going to get into that. But, Stephen Hadley testified—and I thought it was an interesting bit of testimony that was both writ-

ten and then I followed it up orally—that his recommendation was that the United States should announce, relatively promptly, with some clarity, the size of a robust follow-on force, and that, if that happened, there would be the following consequences. It would create more confidence among the Afghan population in the runup to the 2014 elections. It might encourage more candidates to consider standing for election, which would be a positive thing. It would potentially deter or dissuade some who want to manipulate either the bilateral security agreement negotiation process or the elections, themselves. And he also indicated, in oral, not written, testimony, but that a relatively prompt and certain statement from the United States about the follow-on force might also promote prompt and certainty—certain commitments to be made from the partners—the NATO partners that we have in Afghanistan. That was if you will just take it from me—I think I have done a pretty fair job of summarizing the written testimony—do you—What would your opinion be of that testimony?

General LUTE. So, certainly those factors ring true to me. I would just argue—and I actually heard Steve's presentation.

Senator KAINE. Oh, OK.

General LUTE. I would argue that the size and scale, scope of the U.S. military presence in Afghanistan beyond 2014 is one factor in Afghan confidence, but maybe it is not the dominant factor. I think equally dominant or equally important will be the smoothness, the efficiency of the political transition, which I know also the testimony covered in a lot of detail this morning. I think Afghans need to see that, under the constitution, for the first time, that they can efficiently and smoothly, peacefully transfer political power from the Karzai regime of the last 10 years to whoever succeeds President Karzai.

I think, frankly, that that is the dominant factor in Afghan confidence. There are others, as well. They need to see that their security forces are going to be sustained. And, of course, the international community, alongside NATO, has taken steps to secure that funding beyond 2014 so that they can feel confident in that way. They need to see that their economy's not going to crumble. And the international community, last July in Tokyo, marshaled the resources for 4 years, beginning in 2013 through the transition period, to fill the budget gap between what the Afghan budget can provide for itself and the needs of the country itself.

So, there are a number of confidence factors, one of which might be U.S. military presence, but I am not even sure it is the dominant one.

Senator KAINE. Would you agree that the commitment of the U.S. and NATO allies to a presence might have an effect upon the smoothness of the transition, to the extent that it might encourage people to run for office, to the extent that it might give people some confidence going into the election season? Would you agree that U.S. and NATO commitments, vis-a-vis the residual force, might be a factor in the smoothness of a political transition, which I agree is ultimately the most important element that we are looking at?

General LUTE. I think it is a factor, Senator. I think, alongside that factor, though, is the political factor, the political commitment made by NATO in Lisbon in 2010, and by the United States, by

way of our strategic partnership agreement last spring, that, politically, we are committed to be there beyond 2014, and then also the counterpart economic commitment made both for security assistance—that is, to sustain the Afghan forces—but, beyond that, for economic assistance. And then, finally, I think the presence of some residual force would be a factor.

Senator KAINE. Great.

Thank you, Mr. Chair.

Thank you, to the witnesses.

Senator MURPHY. Thank you.

Senator Rubio.

Senator RUBIO. Thank you, to all the nominees, for your service and for being here today.

Ms. Nuland, I wanted to, first, say that I think there is very little debate on this committee about your qualifications to serve in this post. And, as I mentioned to you yesterday, the only reason you are getting questions, quite frankly, about the Benghazi issue, is because you were in that policy role. And, because the committee is not holding any further hearings on it, you are, quite frankly, the only witness we have—on questions with regards to these things that we want answers to. So, I wanted to briefly touch on it, hopefully in an effort to expedite the hearing and maybe close the book on it.

I read your e-mail, that is now available, that is dated the 14th of September at 7:39 p.m. You raised two concerns, primarily. The first was that there were mentions of Ansar—Ansar al-Sharia—in the context of that September 11, 2012, attack and that you did not want to prejudice the investigation. The second concern talked about the agency having produced—“agency” being the CIA—having produced numerous pieces of information on the threat of extremists linked to al-Qaeda in Benghazi and eastern Libya. Those were the two concerns that you raised in that e-mail.

So, on point No. 1, about the mention of Ansar al-Sharia and prejudicing the investigation, did the FBI share that concern?

Ambassador NULAND. Senator, thank you for that.

I want to clarify here that, with regard to the substance of mentioning Ansar al-Sharia, I did not have concerns about that.

Senator RUBIO. OK.

Ambassador NULAND. As I mentioned earlier, it was not for me to decide what we knew, nor what we could declassify. I assumed, that evening, that if the agency was prepared to have Members of Congress name Ansar al-Sharia, that their information was solid and it was releasable to the public.

My concerns were the two that I mentioned earlier; namely, that I did not understand why Members of Congress could say more about it than we could, in the administration; and, second, that we had been under tight guidance not to prejudice the investigation, so I wanted to make sure my CIA colleagues had cleared these points with the FBI and Justice. I was later reassured that they had.

Senator RUBIO. OK, good. Then, the second question I had is on point No. 2, and it is the one about the agency having produced numerous pieces of information on the threat of extremists linked to

al-Qaeda in Benghazi and eastern Libya. We now know that that is accurate, correct?

Ambassador NULAND. The agency had produced some pieces. My concern was not about the accuracy of what was on the paper, Senator; my concern was that it was an incomplete representation—and, frankly, a prejudicial one, I felt—of the totality of the situation in Benghazi. I had been under pretty tight instructions, for the 3 days running up to that, along the following lines: that we were to stay, as the State Department, very tightly lashed up as an interagency community, with regard to what we could say, and that the integrity of the investigation was paramount, that we had to get all of the facts so that we could learn the lessons from this tragedy; and that I had to be extremely attentive to the equities of other government agencies—there were a number of other government agencies that had very sensitive equities in this; and that that was the environment that all of us should be operating in. So, my concern, when I saw that particular paragraph, which was retained, was that it might not be in that spirit. And again, I did not edit them, I simply asked—

Senator RUBIO. Right.

Ambassador NULAND [continuing]. That policy people above me check my instincts.

Senator RUBIO. Those instructions that you have just highlighted for us, were they from Mr. Sullivan?

Ambassador NULAND. They were from the entire leadership of the Department, that we needed to get the facts and we needed to learn the lessons of Benghazi, and that we needed to be good colleagues in the interagency, yes.

Senator RUBIO. Does that—so, does the entire leadership include Secretary Clinton?

Ambassador NULAND. Secretary Clinton was, as she testified, herself, the leader in saying we had to get to the bottom of this, that we had to take responsibility for what had gone wrong, and we had to fix it. Yes, sir.

Senator RUBIO. Did you have any conversations with Secretary Clinton about the talking points or the specific concerns that you raised?

Ambassador NULAND. At no point, that evening or subsequently, did I talk about the talking points with Secretary Clinton.

Senator RUBIO. You did talk to them with Mr. Sullivan about these concerns, however?

Ambassador NULAND. I did not.

Senator RUBIO. So, the—your concerns were unilateral—these were concerns based on the instructions you had received from your leadership, but not concerns that they specifically told you to have.

Ambassador NULAND. Correct. And, as I said before, and as the e-mails indicate, whenever I had a problem that I could not solve at my level, or a concern that what I was being asked to clear was not a communications question but a policy question, I referred it to the Deputy Chief of Staff for Policy, which is what I did that night.

Senator RUBIO. So, just to close the loop on it, you had instructions on what the tone and tenor of talking points should be from

the State Department's position. You reviewed and made decisions on the talking points, based on those instructions, but they did not specifically tell you, "Object to this point" or "Object to that point"?

Ambassador NULAND. At no point was I ever told to object to anything. I was acting on my instincts and asking for a higher level review to check them, and I did not make any edits, as I said.

Senator RUBIO. Thank you for your answers.

In the minute-and-a-half that I have left, I want to ask about Russia. We reset our relationship with Russia, about, I do not know, 3 years ago, 2½ years ago. What is your personal opinion of how that has worked out? And where are we today with Russia? Are we still in a reset mode, or are we in a reset of the reset? Where are we with Russia? And what is, in your view, the status of that relationship, given the reelection, I guess we should call it, of Mr. Putin, and the direction he has decided to take his country?

Ambassador NULAND. Senator, as I said at the outset, I do believe that we have made important progress with Russia in recent years, that the work we do together to contain and sanction Iran, the DPRK, our ability to exfiltrate and move equipment from Afghanistan through Russia, our counterterrorism cooperation, and the New START Treaty, are valuable things that resulted from the reset. But, I also believe that, when we disagree with Russia, we have got to be absolutely clear. And you can see that that is clearly the case now, with regard to Russian policy in Syria. It is—we are—and you have seen Secretary Kerry's efforts to try to use the Geneva agreement that the Russians agreed to under Secretary Clinton to try to get to the negotiating table, but, at the same time—

Senator RUBIO. Can I interject at—

Ambassador NULAND. Yes, please.

Senator RUBIO [continuing]. That point? I am sorry to interrupt you, but—

Ambassador NULAND. Please.

Senator RUBIO [continuing]. I am going to run out of time.

I wanted to ask about that, in specific. What is your view, what are your hopes, what are the odds that Russia could be enticed or have any incentive to try to reach a negotiated settlement in the Syrian conflict that results in something that is in the national interests of the United States? Or are their interests, vis-a-vis Syria, so diametrically opposed to ours that any sort of arrangement there is almost impossible, realistically?

Ambassador NULAND. Senator, without delving too deeply into it in this setting, I would simply say that I believe that Russian views of the situation will very much be guided by the ground situation in Syria.

Senator MURPHY. Senator McCain.

Senator MCCAIN. Thank you very much.

And thank the witnesses. And, for the record, I have known and admired Ambassador Nuland for a long time. General Lute, you and I have been friends for many years. And, Mr. Baer, I congratulate you on your assignment.

I must say, the progress that you noted, Ambassador Nuland, is minuscule, as compared to what the Russians are doing. I am very disappointed in your answer. Did you see—did you see the—what—

the news report yesterday—yesterday—“Dead Russian Lawyer Magnitsky Found Guilty”? Did you happen to see that? Did you see that, Mr. Baer? Does that remind you of the good old days—of the bad old days of the Soviet Union, when we convict dead people? Doesn’t that appall you, I would ask Secretary Nuland, and you, who are supposed to be an advocate of human rights? Isn’t that outrageous, that a man, who we know was tortured to death by the Russian authorities—was guilty of nothing, and we are saying that it is valuable progress that the Russians are letting us transship some equipment back? Somebody’s got their priorities screwed up, here.

I am proud to have worked with Senator Cardin on the Magnitsky Act. You both say, “Well, we will get tougher on them.” How about giving me some specifics? How could we get tougher? Do you know one of the ways we could get tougher?—is expand the scope of the Magnitsky Act and make some more Russians feel some pain. Obviously, they did not react well—or, they did not like the fact that we passed the Magnitsky Act.

I would like to hear, either now, verbally, or for the record, what, specifically, do you want to do to—we have reset back to 1955. And when I meet Mr. Broder and I meet the family of Sergei Magnitsky, and we have, now, a situation where it goes almost unremarked by our administration, when they try and convict a deadman—

I would be glad to hear your responses, and I hope they are a little more vigorous than what you have been giving, so far.

Ambassador NULAND. Thank you, Senator. And I appreciate—

Senator MCCAIN. By the way, I admire you very much, Ambassador. I do not admire your choice of spouses, but that is another issue. [Laughter.]

Ambassador NULAND. You have given me an opening, Senator. I neglected to thank my fabulous family—my parents and my—the two handsome gentlemen in the middle, there, my husband and my son, David, for coming, today. And I thank you for all the years that we have worked together, including when I was out at NATO.

I cannot disagree with you that it is a travesty of justice when one is putting energy into convicting a deadman rather than finding out who is responsible for his murder. When I was spokesperson of the Department, I was very proud to speak out forcefully on this issue, as well as on the Magnitsky legislation.

With regard to the legislation, our work on the list is ongoing, and we will add names, as we are able to.

Senator MCCAIN. You will.

Ambassador NULAND. We will.

Senator MCCAIN. You will.

Ambassador NULAND. Dan, I do not know if you want to add anything.

Senator MCCAIN. Mr. Baer.

Dr. BAER. What Toria said is absolutely right. My Bureau has been involved in producing the first list, and we do see it as an ongoing project, and we plan to add names to the list. And I certainly share your feeling of being appalled at the conviction of Magnitsky. It is a tragedy.

Senator MCCAIN. And again, I do not want to—I would rather ask a couple more questions, but I think it is important to point out that, literally on every major issue of significant consequence, that Mr. Putin has exhibited nothing but the most obdurate and, in many times, aggressive behavior. We know that the support that they are providing to Bashar Assad. We know of many of the other transgressions, including internally—and this is where your work comes in, Mr. Baer—the repression of the media, the—bringing people to court who disagree, the—the whole—it all smacks of the old Soviet Union, and it is—and we seem to want to think, somehow, that things will get better, when everything that I can see that has real consequence has been retrograde.

But, let me ask General Lute, real quick.

General, I was a little surprised you did not mention Syria in your comments. And I would like to have your comments about that. But, I would like for you to explain to the committee why the United States is negotiating or seeking to negotiate with a group, the Taliban, that refuses to renounce its relationship with al-Qaeda and refuses to commit, ahead of time, to respect for women's rights. Explain to me the logic there.

General LUTE. Well, as you know, Senator, right now we are not negotiating. What we are trying to do—

Senator MCCAIN. Oh, but we intend to.

General LUTE. We would like to explore the possibility of getting—

Senator MCCAIN. No, I have been briefed several times, and you have, too, General. Let us be clear that they were setting up the office in Qatar, and they—

General LUTE. Right.

Senator MCCAIN [continuing]. Were doing everything possible to have negotiations. Why do we want to have negotiations with an organization that refuses to renounce its relationship with al-Qaeda and refuses, as a precondition, to recognize women's rights?

General LUTE. The two things you mentioned, the support of al-Qaeda and the support, generally, for the Afghan Constitution, which includes the kind of women's rights provisions that you are suggesting, are both designed to be outcomes of a discussion with the Taliban. And so, the—

Senator MCCAIN. In other words—

General LUTE [continuing]. The attempts—

Senator MCCAIN [continuing]. It is on the table.

General LUTE. No, it is not on the table.

Senator MCCAIN. Why shouldn't it—

General LUTE [continuing]. Those are our—

Senator MCCAIN [continuing]. They—

General LUTE [continuing]. So—

Senator MCCAIN [continuing]. It is either on the table or it is a precondition, one of the two.

General LUTE. It is not a precondition to talks, it is a precondition to Taliban being considered reconciled and eligible to return to political life, under the constitution, in Afghanistan.

So, it is very much the distinction between preconditions and end conditions. And the idea that is under exploration is to see if you

can get into talks—most important, Afghan-government-to-Taliban talks—that see if those end conditions can, in fact, be met.

So, there is no supposing or imagining that reconciliation comes without achieving those three end conditions. The third one, by the way, is to end the violence.

Senator MCCAIN. Well, again, I think that if you—if we are going to really be interested in the Afghan people and their rights, those are preconditions. There can be no agreement without them, so they might as well be preconditions. And by not making them preconditions, we have somehow conveyed the impression to them that they are on the table. And that is—they are either on the table or they are preconditions. It is not, “the subject”—if they are the subject of negotiation, then they are the subject of negotiation.

My time has nearly expired.

I want you to say, a little bit, what you think we ought to be doing in Iraq, in light—in Syria—in light of the 100,000 people that have now been massacred. Do you believe that we should be moving forward with arms to the rebels and establishing a new—no-fly zone?

General LUTE. Well, Senator, first, I have to just say that I do not follow Syria like you and I used to follow Iraq together. It is about 15—actually more than 1,500 miles away from where I am—I focus, on Afghanistan and Pakistan. I think that, certainly, the situation in Syria is absolutely central to stability in a vital region. As much as Iraq was, 5 or 6 years ago, when we were there, and the numbers we ran, and as much as Iraq is today.

I support the administration’s policy of the blend of tools that are being applied, principally the diplomatic/political approach, to try to find a resolution, but—that approach, as supported by humanitarian support to the refugees to address the humanitarian crisis—and then, finally, the provision of means, to include lethal means, to the insurgents.

Senator MCCAIN. I thank the Chair.

Senator MURPHY. Senator Shaheen.

Senator SHAHEEN. Thank you, Mr. Chairman.

Ambassador Nuland, General Lute, Mr. Baer, thank you all very much for being here and for your willingness to serve the country.

Ambassador Nuland, I am going to begin with you and ask about Georgia. Senator Risch, who was here earlier, and I had the opportunity to be election monitors during their recent elections, last October. And I have watched, with some concern, to see that the government of Prime Minister Ivanishvili has arrested a number of the folks who were in opposition to them, and am concerned about the kind of signal that sends about what is happening to their move to democracy in Georgia. And I wonder if you could assess for me how you think the progress is going under the new leadership, and whether you—what kind of action we are doing to try and continue to encourage Georgia to keep moving toward democracy.

Ambassador NULAND. Well, thank you, Senator. And I thank you and Senator Risch for being willing to be election monitors and for your long-time commitment to Georgia.

I share your concern. Georgia has come so far in recent years, including the elections last year, then the peaceful transfer of

power, the development of a vibrant multiparty parliament, greater media freedom, the efforts to curb police and prison abuses, and the continuity in foreign policy, but—and nobody wants to see Georgia slide backward.

We completely understand that this government ran and won on a platform of redressing past abuses, but we believe strongly in the primacy of the rule of law. And this cannot become cover for political retribution, or even the perception of political retribution. There has got to be full transparency, there has got to be due respect for the rule of law, because the world is watching. And this goes to the heart of Georgia's own aspirations, which we support, to join, fully, all the transatlantic organizations. So, Georgia's got to stay on a democratic path.

I am also, frankly, concerned about the economy. So, we want to see Georgians looking forward, not looking backward. And, if confirmed, I will be very vigorous on these issues, and I look forward to working with you and with other friends of Georgia here in the Senate.

Senator SHAHEEN. Thank you.

Let me just—to stay on Georgia, General Lute, one of the things that I have been encouraged about has been to hear Prime Minister Ivanishvili continuing the commitment to MAP for NATO and the continued commitment they have had to the conflict in Afghanistan. They have been a great partner in that effort.

So, can you talk about how you see, and what you see, in terms of their efforts to get MAP through NATO?

General LUTE. One of the great incentives, I think, for Georgia, to make the kind of reforms that were just addressed, is the potential to walk through the open door and gain membership in NATO. So, in this way, the NATO open-door policy really provides a very positive incentive for Georgians to look forward.

Georgia is on its path to meet the standards required for NATO membership. It has got work to do. I know that, by way of the NATO-Georgia Commission, that work is underway, so we join that effort, nationally, but we are joined by other members today, of NATO, to ensure that they understand what the path consists of and that they are making steady progress along that path.

Senator SHAHEEN. Thank you.

Let me ask another question about Afghanistan. One concern I have heard from some followers of the conflict there, and what we are hearing from Afghans themselves, is concern about the zero option: Should we withdraw all American troops? Can you talk about what—how that discussion is influencing what is happening on the ground in Afghanistan?

General LUTE. Thank you, Senator. So, as we deal closely with our Afghan counterparts, we remind them that the United States commitment beyond 2014 is embodied in a binding international executive agreement signed by President Obama and President Karzai more than a year ago. So, we already have a strategic partnership with Afghanistan that extends well beyond 2014. In fact, 10 years beyond 2014.

Likewise, NATO, in fact, beat us to the punch and established a strategic partnership of its own with Afghanistan in the Lisbon summit in November 2010.

So, the framework already exists for a continuing contribution, a partnership, beyond 2014. Beyond that, we have solidified those commitments beyond 2014 with the funding commitments, both to support the Afghan security forces, but also to the Afghan economy, beyond 2014.

So, I think, as we discussed earlier with Senator Kaine, this is a multipart package of political commitments, economic commitments, and security commitments.

And the last piece that needs to fall into place is exactly what will be the size and shape of a U.S. military presence, and then, beyond that, a NATO military presence. And that is still under negotiation. But, those negotiations are active, they are progressing, and we think we will see them through to a successful conclusion.

Senator SHAHEEN. Great, thank you.

Ambassador Nuland, on that same trip to Georgia last year, I had the opportunity to stop in Turkey and meet with the ecumenical patriarch of the Greek Church who was very impressive. And I wonder if you can—one of the things that I talked with him about was what was happening in Cyprus. And I know that Secretary Kerry has indicated this is an—we have an opportunity, here, with what he calls “a frozen conflict,” perhaps, to make some progress in addressing what has been a stalemate for a very long time, on Cyprus, between Greece and Turkey. I wonder if you can talk about whether there is—this is an opportunity, and how additional diplomatic engagement might help to change what has been a status quo for too long there.

Ambassador NULAND. Senator, I do believe we have an opportunity now. I think circumstances are changing, attitudes are changing, not just within Cyprus, but also in Greece and in Turkey, and we have to capitalize on that. We also have natural gas off the coast of Turkey, which is a—off the coast of Cyprus—which is a powerful motivator for getting to the solution that we all want, which is a bizonal, bicommunal federation that can share the benefits. And it is absolutely vital to Europe that Turkey—that Cyprus begin to prosper again, and I think that working on this could be a positive in that direction, as well.

Senator SHAHEEN. Thank you.

My time is up, but let me just say, in closing, I hope that we will continue to support the very positive progress that has been made between Serbia and Kosovo on settling their disagreements there. And anything we can do to support that, I think is very helpful.

Thank you.

Senator MURPHY. Senator Barrasso.

Senator BARRASSO. Thank you, Mr. Chairman.

Mr. Chairman, on May 10 of this year, the Republican members of this committee sent a letter to Chairman Menendez respectfully requesting additional committee hearings to review the open questions surrounding the September 11, 2012, terrorist attack in Benghazi, Libya. It has now been 2 months, and we have not heard back from Chairman Menendez about our request.

While the House of Representatives has been holding hearings and heard from numerous witnesses, including Mark Thompson, Acting Deputy Assistant Secretary of State for Counterterrorism; Greg Hicks, former Deputy Chief of Mission in Libya; and Eric

Nordstrom, former Regional Security Officer in Libya, those important witnesses have not had the opportunity to testify and provide answers in the Senate.

The American people have lingering questions about what happened on September 11, 2012, and why the State Department failed to protect our brave Americans in Benghazi, yet this committee has failed to schedule any additional hearings and has been attempting to avoid the issue altogether.

Ambassador Nuland, during an interagency e-mail exchange on September 14, 2012, you expressed concerns that the information you were providing could be used by Members of Congress to question the State Department for not paying attention to CIA warnings about the security situation in Benghazi. In an e-mail, you stated that you had, “serious concerns,” about, “arming Members of Congress,” with information from the CIA. You went on to say that, “Points should be abused—could be abused by Members to beat the State Department for not paying attention to agency warnings, so why do we want to feed that, either?”

Well, now the President has nominated you as Assistant Secretary of State for European and Eurasian Affairs. This handles a very critical region. I am concerned about your willingness to provide truthful and relevant information to the American people. And I say this because you have implied that it is dangerous to inform Members of Congress, who are the representatives of the American people.

So, my question is, Why should we believe that you will be open and forthcoming on the disclosure of important information to Congress, when you deliberately and intentionally withheld information about Benghazi from Congress and the American people while working at the U.S. Department of State as the spokesperson?

Ambassador NULAND. Senator, thank you for the opportunity to address this.

I am 400 percent committed to positive cooperation with the Congress, to sharing, fully, all information that we can.

As you recall, in that first week after the attack, there were numerous briefings, classified and some unclassified, and briefings thereafter of Members of the Senate, Members of the House of Representatives, that my bosses participated in. My concern was not, Senator, that evening, about sharing information with Congress. My concern was that these were talking points that the CIA was proposing that members of the House Intelligence Committee use with the media. And I felt that, if these were used with the media, they would give a mistaken and flawed perception of our respective agencies’ roles in Benghazi. It was a partial representation of some of the information that we had had, some of the activity that we had been involved in together. So, I thought that, as media points—not as information to Congress; obviously, I have always, and will continue to, if confirmed, fully support transparency with the Congress and full cooperation with the Congress—my concern was that they were inappropriately crafted as points for the media, and they would be misleading.

Senator BARRASSO. So, you—I think you just used the phrase “partial representation.” So, were your concerns with the Benghazi talking points that—were they made to shelter the State Depart-

ment from responsibility or accountability regarding the terrorist attacks in Benghazi?

Ambassador NULAND. Absolutely not, Senator. As I said earlier, we were under firm instructions, all of us, that what mattered most was a full and fair investigation of all of the facts so that we could learn the lessons and ensure that it never happened again. As I said earlier, I was personal friends with Ambassador Stephens. He was somebody I was very close to. For me, it is personal, to get to the bottom of this.

Senator BARRASSO. And I think the President, in his comments—as he said, as soon as he heard about the attack, he said, “No.1, I want to make sure that we are securing our personnel, doing whatever we need to. No. 2, we are going to investigate exactly what happened, so it does not happen again.” And, No. 3, he said, “We want to find out who did this so we can bring them to justice.”

In a letter dated December 18, Secretary Clinton stated, “We continue to hunt the terrorists responsible for the attacks in Benghazi, and are determined to bring them to justice.”

Today, July 11, it has now been exactly 10 months since the attacks. To your knowledge, are we any closer to identifying and bringing those terrorists to justice?

Ambassador NULAND. Senator, I share your frustration. As I said, as a citizen, I want to know what happened, as well. I have to tell you that, in my previous role as spokesperson of the State Department, and in my current capacity, I am not privy to information about how the investigation is going.

Senator BARRASSO. OK. In your written testimony, you talked about some things related to energy. You talked about that Europeans have taken important steps to diversify their energy market with new routes and new regulations.

I have introduced legislation enabling the United States to use its newfound abundance of natural gas to help our NATO allies diversify their energy imports in order to break Russian dominance over them through its control of their natural gas supply. Many experts have argued that U.S. natural gas exports can diminish the cartel behavior of rival suppliers, like Iran and Russia, help persuade allies to isolate these rogue states, like Iran, and encourage the decoupling of international gas prices from oil prices, which can reduce gas prices around the world.

Do you agree that natural gas exports, including LNG, can serve as an important diplomatic tool for the United States to strengthen our relationships with our allies and restore our standing throughout the world?

Ambassador NULAND. Senator, certainly the fast pace of change with regard to the natural gas picture in Europe is making a very valuable contribution to Europe’s energy security. And I think you know that the Department of Energy has approved some U.S. exports. It is obviously within the purview of the Department of Energy to decide if we can do more of that. But, the degree to which Europe has more diverse sources of natural gas, it is a good thing for Europe, and it is a good thing for the security of the transatlantic alliance.

Senator BARRASSO. It does seem that our energy resources can, at this point, increase our own economic competitiveness and en-

hance our power around the world. Do you support expediting LNG licenses to our NATO allies?

Ambassador NULAND. Again, Senator, this decision set is not within the purview of the State Department, it is within the purview of the Department of Energy, so I would not want to speak to decisions that they have to make. But, it is certainly the case that the more sources of natural gas for Europe—and they are really diversifying their LNG terminals now, they are also looking at shale gas, as you know, and we are very active in promoting that—the better for their security and for our common security.

Senator BARRASSO. Thank you.

Mr. Chairman, my time is expired. At this time, I would like to submit additional questions for written records.

Senator BARRASSO. Thank you, Mr. Chairman.

Senator MURPHY. Absolutely. Thank you, Senator Barrasso.

Senator MURPHY. Senator Paul.

Senator PAUL. Congratulations, to the panel, for your nominations.

Ambassador Nuland, where were you, the evening of Benghazi, during the attacks and in the aftermath?

Ambassador NULAND. I was at the State Department on September 11 until about 1 o'clock in the morning, sir.

Senator PAUL. Was Secretary Clinton there, also?

Ambassador NULAND. She was.

Senator PAUL. I did not hear you. Was or was not?

Ambassador NULAND. She was.

Senator PAUL. She was. Were you in the same room with Secretary Clinton during the period of time during the attacks?

Ambassador NULAND. For some of that period—she did a written statement on the attacks that evening. I worked with her on that written statement, but I was not with her the whole time, no.

Senator PAUL. OK. Did you have any conversations with anybody in Libya during the attacks or during the immediate aftermath?

Ambassador NULAND. No, sir.

Senator PAUL. With anybody from Special Operations Command in Africa?

Ambassador NULAND. No, sir.

Senator PAUL. No. Were you present during any conversations with Secretary Clinton with anybody in Libya?

Ambassador NULAND. No, sir.

Senator PAUL. Were you present with any conversations with Secretary Clinton and anyone from Special Operations Command in Africa?

Ambassador NULAND. No, sir.

Senator PAUL. Did you have any conversations with Secretary Clinton concerning reinforcements being sent from Tripoli?

Ambassador NULAND. No, sir. My role with her was purely with regard to communications.

Senator PAUL. You did not have any—

Ambassador NULAND. Public—

Senator PAUL. You were not present during any conversations—

Ambassador NULAND. No, sir.

Senator PAUL [continuing]. That had anything to do with sending reinforcements.

Ambassador NULAND. No, sir.

Senator PAUL. Were you present during any conversations with either—with yourself or with Secretary Clinton—of General Hamm, Admiral Losey, Lt. Colonel Gibson?

Ambassador NULAND. No, sir.

Senator PAUL. OK.

Have you ever had any conversations with Secretary Clinton concerning the purpose of the CIA Annex?

Ambassador NULAND. I am not quite sure what you—what you are asking, Senator.

Senator PAUL. What was the purpose of the CIA Annex in Benghazi?

Ambassador NULAND. Senator, I would be delighted to talk to you about the relationship between the State Department and the CIA in a separate setting, if that is helpful. I do not think it is appropriate—

Senator PAUL. Have you had any conversations with Secretary Clinton concerning the purpose of the CIA Annex?

Ambassador NULAND. Not with regard to the purpose, no. But, with regard to the responsibility of government communicators to protect the equities and requirements of all other agencies, yes.

Senator PAUL. Did you ever have a discussion with Secretary Clinton concerning the fact that the function and the activities of the CIA Annex may have had something to do with the attacks?

Ambassador NULAND. No, sir.

Senator PAUL. Are you personally aware of what the CIA Annex function is, or was?

Ambassador NULAND. Sir, I do not believe I have had a full briefing on what the activities were, no.

Senator PAUL. Have you read the New York Times article, from 2 weeks ago, that talks about the fact that the CIA has been involved with sending arms to Syria over the last year?

Ambassador NULAND. I did see that piece. I cannot assess its accuracy.

Senator PAUL. OK. Are you aware of the reports that a Turkish ship left Benghazi, or Libya, in the week preceding the Ambassador's killing, docked in Turkey, interviews have been conducted with the media, with the captain, distribution of the arms to Syrian rebels have been reported and discussed in the media? Are you aware of those reports?

Ambassador NULAND. I am not, Senator.

Senator PAUL. All right.

We have got a lot of questions. We have got a lot of very short answers.

How often in—with your tenure, is sort of your typical routine, as communications—or in charge of communications at the State Department—how often would you have personal contact with Secretary Clinton, or conversations?

Ambassador NULAND. When I was briefing, which was most days when we were home, I would see her every morning at our senior staff meeting. I would also support her when she had bilateral meetings with foreign visitors, particularly when there were press

conferences. That was our home drill. And then, I traveled with her on all of her foreign travel.

Senator PAUL. Right.

Part of the reason I bring up the CIA Annex is that, you know, we are in the process of becoming involved in a new war, in Syria, and there are many within the administration, which you will be part of, who argue for just doing this secretly, without votes; basically, to have a covert war. And that is basically what we are having now, according to articles concerning CIA activity in Syria, is that we are going to have a covert war, not a war where Congress votes on declaring war or votes on whether or not we should be involved.

The question, really, here, is a big question of whether or not, you know, we obey the Constitution, which says the Congress really declares war, the Congress makes these decisions, that, unilaterally, these decisions are not made without the approval of Congress or the people.

There is a question of the rule of law, basically. We have it on the books that says that, if there is a military coup, that foreign aid will end—not only if there is a military coup, if the military is involved in any way—in any substantial way, in removing a government from power. So, you can understand the—you know, the displeasure of some of us who believe in the rule of law, that, basically, this administration has said, “We are not going to obey the law, we are above the law, and we are just going to say it is not a coup.”

The problem, here, is that there is a certain lawlessness. There has been a big discussion on, you know, leaks from the NSA. People have said, “My goodness, these leaks are damaging national security.” Well, you know, what is also damaging to national security is when people come and lie to Congress. Now, I am not saying you did. You have said that it was classified, you cannot talk about it. But, if members of the administration are going to come to us and say, “Oh, I am just going to lie, because it is classified, and tell you the least untruthful thing,” what it does is, it really does damage the intelligence community, it damages the reputation of your administration, or the administration you will choose. It just—it damages the whole community, in a way, to say that it is OK to lie to Congress. That is basically what the opinion is now, and what is being told to the public, “It is fine to lie to Congress.” If that is true, it really damages the credibility of people who do things.

So, when I ask the question, which I understand your inability, maybe, to answer it because it may be classified—there are many of us who believe that it was—it had to do with an arms trade going out of the CIA Annex, and that perhaps people were unhappy about arms being taken from one group to another and sent to another, that may have incited the rioting and may have incited the terrorist attack. But, the problem is, we cannot ever get to the truth, because people just say, “Oh, it’s secret.” That is the problem with running a secret government and running secret wars. We do not get any oversight. We cannot have oversight because we do not have any information.

So, all I would say is that we need to think these things through. If you look at what the public wants right now, the public is not interested in a new war.

Thank you very much for your testimony.

Senator MURPHY. Thank you, Senator Paul.

We will do a second round, maybe of 5 minutes each, for members that are remaining.

Ambassador Nuland, I just wanted to expand upon the questions from Senator Shaheen on Turkey, just to ask a broader question. What Erdogan is doing is certainly not to the extent of what we have seen in Russia with Mr. Putin, but troubling nonetheless: the crackdown within Istanbul, his treatment of journalists, his disposition toward the military. What are the tools at our disposal to continue to raise these questions of a free and open civil society in Turkey?—given the same problem we have with Russia, in that we have so many irons in the fire, with respect to our very complicated security relationship with Turkey, that it often makes it difficult to put the issue of human rights and his treatment of political opponents front and center. What are the tools at our disposal to continue to press Erdogan with respect to the—some of the same issues, albeit to a lesser degree, that we are pressing Putin's government on, as well?

Ambassador NULAND. Thank you, Senator. Our alliance with Turkey, our relationship with Turkey, is absolutely critical, as you know, not just in the Eurasian space, but also in all of the work that we are doing now in the Middle East and North Africa, and particularly with regard to Syria. I think it is because we have such an intense and tight relationship, and because we have constant contact—I think Secretary Kerry's now made seven-plus trips to Turkey, the President talks regularly with President Erdogan—that we can speak very clearly and frankly when we have concerns about Turkey's democratic path—and we have done that at all levels, because it is—Turkey's democracy and the strength of it is important, not only for the country itself, not only as a NATO ally, but also because, as a majority Islamic population, Turkey's democracy is looked at by other countries around the world and in the region who aspire to be able to be Islamic and democratic at the same time.

So, these are the points that we will continue to make to the Turkish Government, that freedom of assembly, freedom of expression, protection of journalists, are fundamental democratic values that strengthen the country. And, in the context of the review that the Government of Turkey is doing now of the constitution, we are urging that these protections be strengthened and not lightened.

Senator MURPHY. Well, I thank you for raising the issue of constitutional reform. I hope that that will be an issue that we will continue to raise with them. I think that we should be troubled by the prospect of Erdogan trying to rearrange the constitution as a means of continuing his reign there beyond what has been expected by the people of Turkey. I appreciate your raising that.

General Lute, just very quickly, with regard to NATO enlargement, we have got a number of candidates, particularly in the Balkans. Can you just sort of speak very briefly about the commitment that you will have, as our Ambassador there, to actively work with

the Balkan nations who are in line for membership to go through the final stages of that process?

General LUTE. Yes, Senator, you have my personal commitment to do this. Of course, this is standing NATO policy, under the open-door provision. And it is longstanding U.S. policy, as well, that the door should be open, not only to the Balkan States that you are mentioning, but, as we mentioned earlier, Georgia, as well.

Senator MURPHY. Let me just, finally, before I turn it over to Senator Johnson—I do want to associate myself with at least the final comment made by Senator Paul. I know this is not particularly within your individual books of business, but it may be. I do think he raises a very important point about the interplay between overt and covert activity. And we have seen that produce fairly troublesome results for this Nation, but also for the State Department, in places like Pakistan, as we move forward in Syria, which is—you may have some interactions with.

I hope we look to prior history and understand that major military actions happening in a covert manner present problems, certainly with regard to oversight by the United States Congress, but also present problems within the administration, when there are entities negotiating with players across the globe who do not necessarily have control over all of the tools that are subject to those negotiations.

Senator Johnson.

Senator JOHNSON. Thank you, Mr. Chairman.

General Lute, as long as you did listen to the Afghanistan hearing—I was able to be there—here for the first hour, and could not ask questions, so let me ask you a couple of questions.

It was the—a comment was made that ISAF is providing critical support to the Afghan army and the police force, and that the elections were—I cannot remember the exact quote, but “absolutely essential,” in terms of progress being made in Afghanistan. But, there have been some real problems. Critical appointments have not been made.

The point I want to make is, if we are going to stop all military operations by the end of 2014, and basically turn it over to the Afghan army and police force by 2015, what if they are not ready? What is going to happen?

General LUTE. Well, the December 2014 goal to arrive at a point where the Afghans are fully responsible, as we said at Lisbon in 2010, at the end of this 4-transition process, is just that: a goal. And the reports—I think you heard, this morning, but the reports we consistently get, and have gotten for a number of years now, are that our military believes—and they have day-to-day, shoulder-to-shoulder contact with their Afghan counterparts—that we are on track, and that the remaining 18 months will complete that job to arrive at a position where they are fully responsible.

Now, I think you also heard, this morning, and we see in more routine reports, that there remain gaps today. Some of the ones most obvious are close-air support, medical evacuation, logistics. When you see—you see—

Senator JOHNSON. But, let me—I think that one—

General LUTE [continuing]. Newspaper reports on these, as well.

Senator JOHNSON [continuing]. One of the more critical gaps is managerial, at the officer level, which is an incredibly difficult gap to fill, isn't it, in just 18 months?

General LUTE. Well, Senator, you—I think you are right. You do not build an army in 4 or 5 years. And we have really only been seriously at the building of the Afghan army over the last 4 or 5 years. And that is why, beyond 2014, the work will not be done. And that is why we are committed to a training/advising/assisting mission even beyond 2014. As I mentioned earlier, that, of course, is—needs to be governed by a bilateral security agreement, which is under negotiation. So—

Senator JOHNSON. To what extent are militias being stood back up in Afghanistan?

General LUTE. I do not think this is a major change or a major initiative in Afghanistan today. The ethnic groups, especially in the rural areas that are quite remote from the population centers, the metropolitan population centers, have always been somewhat secured by local power brokers, who have armed contingents. And this is, to some extent, the natural state of affairs in Afghanistan. But, these are not dominant. And I can also tell you that, in the last several years, we have not seen a dramatic rise in the presence of these sorts of forces.

Senator JOHNSON. Do you think those militias are a stabilizing force?

General LUTE. I think they are a natural part of the security landscape in Afghanistan. We do not see them as a destabilizing force. They tend to stick quite close to their home turf. They are ethnically and tribally organized. And they do not present a, necessarily, destabilizing force.

Now, what is new to the scene is 350,000 Afghan National Security Forces, both army and police. And the standup of that national force is designed to be the glue that holds the very disparate regions of Afghanistan together.

Senator JOHNSON. OK.

Senator MURPHY. Senator Rubio.

Senator RUBIO. Thank you.

And I apologize for having to do this again, because this is not directly related to you, but I just want to clearly understand the timeline on the talking-points issue once more.

So, I want to go back. On October 10, Mr. Carney—Jay Carney—said that, “Again, from the beginning, we have provided information based on the facts as we knew they became available, based on assessments by the intelligence community—not opinions—assessments by the intelligence community. We have been clear all along that this was an ongoing investigation, that the more facts became available, we would make you aware of them, as appropriate, and we have done that.”

He went on to say, later, back in May, that, “What we said, and remains true to this day, is that the intelligence community drafted and redrafted these talking points.” That was then.

In fact, the President, on October 18 of last year, said, on “The Jon Stewart’s Show,” believe it or not, “But, everything we get, every piece of information we get, as we got it, we laid it out to the American people.”

That's the statements from the White House with regards to the talking points.

Now, the original CIA talking points were pretty blunt. They talked about "an assault on U.S. facilities in Benghazi as a terrorist attack conducted by a large group of Islamic extremists, including some with ties to al-Qaeda." That was the original talking points that the CIA circulated. But, then—well, the original talking points they prepared—they then circulated these talking points to the administration policymakers on the evening of Friday, September 14. They had changed "Islamic extremists with ties to al-Qaeda" to, simply, "Islamic extremists," but they also add a new context in the references to the radical Islamists. They noted—they pointed to Ansar al-Sharia's involvement, and they added a bullet point that highlighted the fact that the CIA had warned about another potential attack on U.S. diplomatic facilities in the region.

And that was the point where all the things we have talked about already began, right?—the e-mails circulating, you raised the concerns, et cetera, and overnight on the 14th. Then there was that meeting, on the 15th, of the—I do not want to mischaracterize the name of the group—"the deputies group." Is that right? You were not a part of that meeting, but there was a meeting. Correct?

Ambassador NULAND. Correct. My understanding was that this issue was taken up there, yes. I—

Senator RUBIO. So, you were not in the meeting.

Ambassador NULAND. But, I was not there.

Senator RUBIO. But, what we know from subsequent e-mails from someone—we do not know who it was—but, an e-mail to U.S. Ambassador Rice after the meeting, and it basically said, according to the e-mail there were several officials in the meeting that shared your concerns—you were not part of the deliberations—that the CIA talking points might lead to criticism that the State Department had ignored the CIA's warnings about an attack. And the e-mail also reported to Susan Rice that Mr. Sullivan would work with a small group of individuals from the intelligence community to finalize the talking points on Saturday before sending them on to the House.

So, that was what happened from that meeting, and then these changes came about, and then we get these talking points.

So, I guess the point that I want to raise is that, while, in fact, the intelligence community may have physically and technically written these talking points, the most substantive changes to the talking points—the most substantive changes to these talking points, from the original version, either—even the amended versions that were first circulated—the substantive changes came as a result of direct input from the State Department and from these—this deputies meeting. Is that—that is correct, right?

Ambassador NULAND. Senator Rubio, as you correctly pointed out, I cannot speak to the whole chain of events. When I received the talking points, on the evening of Friday the 14th, they said—they did not make reference to al-Qaeda, they made reference to Ansar al-Sharia.

Senator RUBIO. Right.

Ambassador NULAND. As I said, I had no difficulties, in substance, with that. When I, as a citizen, read the dozens and dozens

and dozens of e-mails that we released to the Congress, to the public, about this, it was clear to me, in reading those, as I am sure it was clear to you, that significant changes were made, apparently, inside the CIA before they—

Senator RUBIO. But, they were—

Ambassador NULAND [continuing]. Were circulated.

Senator RUBIO. Right. And I understand that the CIA typed the changes, but—

Ambassador NULAND. But, the—

Senator RUBIO [continuing]. The subsequent—

Ambassador NULAND. While they were in—while they were in clearance within the CIA—

Senator RUBIO. Right.

Ambassador NULAND [continuing]. Before they went into the—

Senator RUBIO. But, the point is that the major substantive changes came between Friday evening, after you and other State Department officials expressed concerns about criticism from Members of Congress, and the Saturday morning, following the deputies meeting. That is when the big changes to it came.

And the reason why that raises alarm is another e-mail, to Chip Walter, the head of the CIA's Legislative Affairs Office, from Secretary Petraeus, where he expressed frustration at the new scrubbed talking points, noting that they had been stripped of much of the content his agency had provided.

So, the point I am driving at has, quite frankly, nothing to do with you. But, the point that I just wanted to raise here is, in fact, when Mr. Carney and when the President says that these talking points were a product of the intelligence community, that is not accurate. These talking points were—may have been typed by the intelligence community, but these talking points were dramatically changed, directly at the input of non-intelligence-community individuals, primarily in the State Department and in this meeting of the deputies. That is where the changes were made. They did not come from the intelligence community. The intelligence community—in fact, its leader at the CIA—expressed frustration at the changes that had been made.

I know my time is up, but I have to get one real-quick question, and it has to do with—is—the START Treaty. Is Russia in compliance, in your opinion, with the New START? I know that is a big change of topic. [Laughter.]

Ambassador NULAND. Senator, at this—in this current state that I am in, I am not privy to all of the information with regard to compliance. If confirmed, obviously I would be fully transparent with you, within my responsibilities—

Senator RUBIO. OK.

Then, here's my—

Ambassador NULAND [continuing]. With regard to that—

Senator RUBIO [continuing]. Last question. Anyone who wants to answer it. Maybe, General, you could help with this. Did the administration seek or receive any input from our NATO allies, ahead of the President's announcement, 2 weeks ago, about additional cuts to U.S. strategic nuclear arsenal, beyond the limits imposed of New START? Did we talk to our NATO allies about it? And, if we did, what was their reaction?

General LUTE. Yes, Senator, I am not aware of that. I am obviously not following that issue at that time. I can investigate this and come back to you.

[The information requested of Ambassador Nuland by Senator Rubio follows:]

Following the 2010 Nuclear Posture Review, the President directed his national security team to conduct further analysis and review of the U.S. nuclear force structure and posture. The results of this analysis were announced during the President's speech in Berlin in June 2013, including his commitment to continued consultations with allies. The speech has been welcomed by our European allies and partners, as well as our key Asian allies. The United States regularly consults with our NATO allies about our commitment to further nuclear reductions and to maintain a safe, secure, and effective nuclear deterrent. Any changes in NATO's nuclear posture must be decided jointly by the alliance. This ongoing dialogue with NATO informed the analysis conducted by the United States and announced by the President in Berlin.

Senator MURPHY. Thank you, Senator Rubio.

Thank you very much for answering all of our questions. You have all acquitted yourselves very well. You all have had such impressive careers, and I am just so appreciative of the fact that you are ready to stand up for this Nation in a new capability. Congratulations on your nomination. And we look forward to your confirmation.

This hearing stands adjourned.

[Whereupon, at 4:25 p.m., the hearing was adjourned.]

ADDITIONAL QUESTIONS AND ANSWERS SUBMITTED FOR THE RECORD

RESPONSES OF VICTORIA NULAND TO QUESTIONS SUBMITTED BY SENATOR ROBERT MENENDEZ

Question. Do you see the proposals put forward by the new Cyprus Government involving Famagusta as helpful in regenerating the efforts to resolve the political situation on the island?

Answer. We would support any agreement on Famagusta that is mutually acceptable to both parties. This issue underscores the need for a comprehensive settlement reunifying Cyprus as a bizonal, bicomunal federation. We firmly believe that a mutually acceptable settlement is in the best interests of the people of Cyprus, and we hope the parties will seize the opportunity to end the tragic division of the island once and for all.

Question. I noted with pleasure the spirit of religious cooperation demonstrated by the trip of Ecumenical Patriarch Bartholomew, the spiritual head of 300 million Orthodox Christians and the world's second-largest Christian Church, to Rome for the installation of Pope Francis, the head of the largest Christian Church, Catholicism. Historically, the Ecumenical Patriarch and Pope were both bishops in the same undivided Christian church until the year 1054. This trip marked the first such recognition between the two churches that has occurred in nearly 1,000 years and is a great tribute to the ecumenical spirit of both religious leaders.

- Can you share with the committee what you plan to do in working with Turkish Government officials to push for full religious freedom for the Ecumenical Patriarchate in Turkey?

Answer. The United States recognizes the ecumenical status of the Patriarchate, which is a part of the rich tradition of religious diversity in Turkey. As such, the United States fully supports efforts to reopen Halki Seminary, a vital institution of spiritual learning for Orthodox Christians around the world, as a symbol of the Turkish Government's commitment to ensure full religious freedom for all, including religious minorities. The Turkish Government's return of property surrounding the Seminary to the Church earlier this year was a positive step. If confirmed, I will continue to urge the Turkish Government to demonstrate its respect for religious freedom by working cooperatively with the Patriarchate to overcome legislative and political impediments hindering the reopening of this revered religious institution

and to resolve matters of importance to Orthodox Christians and other religious minorities in Turkey.

Question. Recent reports indicate that there may be good reason to question whether there's been mismanagement at the Holocaust Claims Conference. What steps has the U.S. Government taken to investigate whether \$57 million has been lost to fraud and what are we doing about it?

Answer. In late 2009, suspecting fraudulent internal activity, the Conference on Jewish Material Claims Against Germany ("the Claims Conference") retained outside counsel to conduct an independent investigation. The Claims Conference then presented evidence derived from this investigation to the FBI and the office of the U.S. Attorney for the Southern District of New York, which then launched an investigation into the fraud.

In May of this year, the Claims Conference's former Director of Hardship and Article 2 Funds, Semen Domnitser, and two coconspirators were convicted in federal court on charges of mail fraud and conspiracy to commit mail fraud. Twenty-eight others had already pleaded guilty. No Holocaust victims were deprived of any funds because of those crimes. After uncovering the fraud, the Claims Conference took steps to prevent its recurrence. It engaged Deloitte to conduct an independent review of all processing procedures and subsequently revamped them. Deloitte has prepared a report with preventative recommendations, including how to install appropriate safeguards, and the Claims Conference is currently in the process of implementing them. The Claims Conference also reviewed thousands of files, one case at a time, to identify fraudulent applications and instituted a process to obtain restitution. Whenever it came upon documents confirming fraud, the Claims Conference suspended improper payments and sought restitution. Legitimately eligible claimants, however, continued to be paid.

These losses to fraud must be measured against the overall accomplishment of the Claims Conference, a nongovernmental organization that since 1951 has sought a measure of justice for Holocaust survivors through negotiations with the German Government in order to provide payments both directly to individual survivors and grants to social welfare organizations serving survivors. As a result of these negotiations, the German Government has paid more than \$60 billion in indemnification for suffering and losses resulting from Nazi persecution. Claims Conference negotiations have also resulted in the disbursement of additional funds from German and Austrian industry, as well as from the Austrian Government. In May of this year the Federal Republic of Germany committed to providing approximately \$1 billion over a 4-year period for home care for Jewish Holocaust victims, with the annual amount increasing every year through 2017.

Question. In recent weeks Transnistrian authorities have acted to increase the security along their line of control to make it resemble an international border. Has the U.S. position on Moldovan sovereignty over Transnistria changed? If not what diplomatic actions have we undertaken to address this change in the status quo?

Answer. The United States strongly supports a peaceful and sustainable negotiated resolution of the Transnistria conflict through a settlement that provides a special status for Transnistria within Moldova's sovereign borders. The administration has underscored to both sides the importance of continuing to engage, compromise, and work toward a comprehensive settlement through the OSCE-sponsored 5+2 process. The administration has also called on both sides to refrain from any unilateral action that might impede the process or undermine confidence in the negotiations. The State Department will continue to raise these points and concerns with authorities in Chisinau and Tiraspol and work with its partners in the region to amplify this same message.

Question. President Obama has identified genocide prevention as a "core national security interest and core moral responsibility" of the United States. What role does genocide recognition play in combating future incidents of genocide? Do you have a personal view on U.S. recognition of the Armenian genocide?

Answer. The U.S. Government clearly acknowledges as historical fact and mourns that 1.5 million Armenians were massacred or marched to their deaths in the final days of the Ottoman Empire. These horrific events resulted in one of the worst atrocities of the 20th century, and the United States recognizes that they remain a great source of pain for the people of Armenia and of Armenian descent, as they do for all of us who share basic universal values. As the President emphasized in his April 24 Remembrance Day statements, the achievement of a full, frank, and just acknowledgement of the facts of what occurred in 1915 is in all our interests.

If confirmed, my duty would be to represent the policies of the President and administration faithfully, and to work with our allies and partners in Europe to make sure that such dark chapters of history are not repeated.

Question. The United States continues to support the democratic and economic development of Georgia—both through strong levels of economic assistance and a second Millennium Challenge Corporation compact with that country. What efforts are being made to ensure that U.S. assistance reaches all communities and regions in Georgia equally, including the impoverished region of Samtskhe-Javakheti, which is predominantly populated by Armenians?

Answer. U.S. Government assistance in Georgia supports democratic and economic development throughout the country, and this includes the Samtskhe-Javakheti region. Over the past 6 years, the U.S. Government has provided over \$240 million in assistance projects in Samtskhe-Javakheti, including through the Millennium Challenge Corporation (MCC). These assistance projects have ranged from rehabilitating public hospitals, helping farmers bring crops to market, fostering economic development, supporting civil society, and giving voice to the ethnic minority communities.

RESPONSES OF VICTORIA NULAND TO QUESTIONS SUBMITTED BY
SENATOR ROBERT P. CASEY, JR.

Question. After a meeting with Foreign Minister Kasoulides, Secretary Kerry stated, “We also look forward to working with the Foreign Minister and with President Anastasiades and others to try to move Cyprus forward on one of the world’s frozen conflicts. The United States supports a bizonal, bicomunal federation. We would like to see us unfreeze this conflict and be able to move to a resolution.”

- What is your assessment of the most effective way to unfreeze the Cyprus-Turkey conflict?
- Do you view the potential for gas exploration in Cyprus’s exclusive economic zone as beneficial or harmful to the efforts to solve the country’s political problem?

Answer. As I noted during the hearing, I believe that we have a real chance to capitalize on changing attitudes and circumstances to help address the 40-year-old division of Cyprus. A comprehensive settlement reunifying Cyprus as a bizonal, bicomunal federation will benefit the people of Cyprus and help strengthen regional stability by facilitating normalization of relations between Cyprus and Turkey. The Greek Cypriot and Turkish Cypriot leaders have confirmed their intention to resume the settlement process in October, and Turkey has also expressed its support for the settlement process. If confirmed, I will work both publicly and privately with the parties and with the United Nations to encourage a settlement.

The development of offshore energy resources should be a positive incentive for the parties to work toward a comprehensive settlement. We continue to believe that, in the context of an overall settlement, the island’s resources should be equitably shared between both communities.

Question. Ecumenical Patriarchate.—I noted the spirit of religious cooperation demonstrated by the trip of Ecumenical Patriarch Bartholomew, the spiritual head of Orthodox Christians, to Rome for the installation of Pope Francis. This trip marked the first such recognition between the two churches that has occurred in nearly 1,000 years and is a great tribute to the ecumenical spirit of both religious leaders.

- What do you plan to do to push for full religious freedom for the Ecumenical Patriarchate?

Answer. The United States recognizes the ecumenical status of the Patriarchate, which is a part of the rich tradition of religious diversity in Turkey. As such, the United States fully supports efforts to reopen Halki Seminary, a vital institution of spiritual learning for Orthodox Christians around the world, as a symbol of the Turkish Government’s commitment to ensure full religious freedom for all, including religious minorities.

The Turkish Government’s return of property surrounding the Seminary to the Church earlier this year was a positive step. If confirmed, I will continue to encourage the resolution of legislative and political impediments that are hindering the reopening of this important religious institution.

RESPONSES OF VICTORIA NULAND TO QUESTIONS SUBMITTED
BY SENATOR JAMES E. RISCH

Question. There has been speculation about a third trial of Khodorkovsky, Russia's longest serving political prisoner. What would be the implications for civil society and the democratic opposition in Russia if a third trial were pursued? What can be done by the United States or others to ensure Khodorkovsky is released as scheduled next year?

Answer. The Russian Government cannot nurture a modern economy without also developing an independent judiciary that ensures equal treatment under the law, advances justice in a predictable and fair way, and serves as an instrument for furthering economic growth.

The United States supports the rights of all Russians to exercise their freedoms of expression and assembly, regardless of their political views. These rights are enshrined in the Russian Constitution as well as in international agreements to which Russia is a party.

If confirmed, I will continue to express our concerns to Russia both publicly and privately about the Khodorkovsky case, selective prosecutions, and the corrosive effect on society when the rule of law is undermined by political considerations.

Question. It appears U.S. policy toward Central and Eastern Europe has lacked focus and this has contributed to the backsliding on economic and political developments you referenced in your testimony. What are your thoughts on how to fix this?

Answer. The countries of Central and Eastern Europe are, with one exception, strong allies and valued partners of the United States that have made critical contributions to NATO and have worked with us on other shared priorities around the world. If confirmed, I will seek to intensify our already active dialogue with these countries to advance our common interests on a broad range of security, economic, global and law enforcement issues.

Although we share with the people of the region a commitment to fundamental democratic values and human rights, we have concerns that some countries in the region have weakened the institutional checks and balances that are essential to democratic governance. We are honest with our friends about our concerns, both bilaterally and in venues such as the Organization for Security and Cooperation in Europe, and work with them to address these issues. If confirmed, I will also make it a priority to work actively with individuals and organizations in these countries who are striving to strengthen democratic institutions, civil protections, and the rule of law.

Belarus is an exception. In dealing with the Government of Belarus, we will continue to impose sanctions until the government releases all political prisoners and creates space for democracy.

Question. After decades of studied neutrality, the newly elected Government of Cyprus has decided to adopt a more prowestern foreign policy, including by seeking to join NATO's Partnership for Peace (PfP). Among other things, admission of Cyprus to the PfP would end the anomaly that Cyprus is presently the only significant country in Europe or Central Asia (other than Kosovo) that belongs to neither NATO nor the PfP.

- Does the Obama administration support Cyprus's aspiration to join the PfP? If confirmed as Assistant Secretary for European Affairs, will you work to help Cyprus gain admission to the PfP?

Answer. The United States has long supported Cyprus's aspiration to join the Partnership for Peace (PfP) Program. Since its start in 1994, the Partnership for Peace Program has been an important NATO tool seeking to promote reform, increase stability, diminish threats to peace, and strengthen security relationships between individual Partner countries and NATO, as well as among Partner countries.

If confirmed, I will continue to work for Cyprus' inclusion in the PfP.

Question. As you know, Cyprus has discovered significant offshore gas reserves which could provide a future revenue stream for the country, and could create the basis for energy cooperation with Israel. Expedient development of this resource, pursuant to international law, could substantially improve Cyprus's economic development and potentially act as a unifying factor in the eastern Mediterranean.

- Does the United States support the right of Cyprus to develop this resource?

Answer. The United States recognizes Cyprus' right to develop hydrocarbons resources in its Exclusive Economic Zone (EEZ). We continue to believe that, in the context of an overall settlement, the island's resources should be equitably shared

between both communities. And, that the development of offshore energy resources should be a positive incentive for the parties to work toward a comprehensive settlement.

Question. The stalled negotiations between Armenia and Azerbaijan over Nagorno-Karabakh continue to threaten the security and stability of the South Caucasus. It is even more concerning to see the United States, one of the cochairs to the Minsk Group, disengage from the region. Contrary to the passive U.S. role in the negotiations, Russia is very actively engaged. Former Russian President Dmitry Medvedev personally invested substantial political capital on advancing Russian interests in the South Caucasus vis-a-vis the Nagorno-Karabakh conflict. There is concern about a larger Russian military presence in the region, in the absence of U.S. engagement.

- What actions should the United States take to move the stalled negotiations forward?

Answer. As cochair of the OSCE Minsk Group, along with France and Russia, the United States plays a major leadership role in helping the sides find a peaceful solution to the Nagorno-Karabakh conflict. If confirmed, I will make this a priority. I will work with the sides, at the highest levels, to help them overcome the current impasse, and involve Secretary Kerry and the President, as appropriate, in our diplomacy. We will also continue to encourage near term confidence building measures that the sides can take to minimize the danger of incidents on the line of control and other actions that could take the process backward.

We will continue to stress that the parties themselves must find the political will to make the difficult decisions that a peaceful settlement requires. Any durable solution will require compromise from all sides. On June 18, Presidents Obama, Putin, and Hollande expressed their regret for the recent lack of progress, and called on the sides to recommit to the Helsinki principles, particularly those relating to the nonuse of force or the threat of force, territorial integrity, and equal rights and self-determination of peoples. We will also continue to emphasize that it is vital that the sides prepare their people for peace, not war, and avoid actions and rhetoric that could raise tensions or damage the peace process.

RESPONSE OF DOUGLAS E. LUTE TO QUESTION SUBMITTED
BY SENATOR JAMES E. RISCH

Question. As the Senate considers your nomination, we need to fully understand your views on what is arguably the most important arms control regime concerning the stability and security of our NATO allies—the Intermediate-Range Nuclear Forces (INF) Treaty. This agreement prohibits the production or flight testing of all ground-launched ballistic and cruise missiles with range capabilities between 500 and 5,500 kilometers, thereby promoting stability on the European Continent. As you are undoubtedly aware, however, Russian officials have made statements about the viability of the Treaty. For instance, on June 21, 2013, the Russian Presidential Chief of Staff stated that the INF Treaty “cannot exist endlessly.” Such statements obviously are cause for concern. I believe it would be helpful to hear your own perspective.

- Could you please provide your views on the importance of preserving the INF treaty over the next decade, including the impact of doing so on stability in Europe?
- Further, could you provide the administration’s current policy for information and intelligence sharing with our NATO allies relating to compliance and verification issues associated with the INF and other treaties of importance to NATO?
- Finally, can you assure the committee that our NATO allies have been fully and completely informed of all compliance and certification issues associated with the INF and other treaties?

Answer. The INF Treaty remains a significant achievement in nuclear arms control that contributes greatly to peace and security on the European Continent. It was the first arms control treaty to result in the elimination of an entire class of weaponry. It remains a vital element of the security architecture in the Euro-Atlantic region. Accordingly, it is critical that this treaty be preserved. The Russian Federation remains a party to the treaty and has not communicated to the United States an intention to withdraw from it. The reintroduction of INF class ground-launched missiles would destabilize and threaten the peace and security in Europe that the INF Treaty has helped ensure for over 25 years.

I want to reassure you that the administration is committed to maintaining a full and robust dialogue with NATO allies on the range of common security issues of concern, including those related to Russia. In fact, all allies share information bearing on our common security concerns. In addition, the administration regularly consults with allies on security and stability issues, at every level. For further information on these topics, we would be happy to brief you in a classified setting.

If confirmed, I personally commit both to representing these and all other American interests in NATO and to working with the Congress on these critical issues.

The administration is committed to working to seize the opportunities before us to revitalize and deepen our ties with Europe. We look forward to working with you on these and other important issues.

RESPONSES OF VICTORIA NULAND TO QUESTIONS SUBMITTED
BY SENATOR CHRISTOPHER A. COONS

Question. If you are confirmed, how will you approach the challenges in Cyprus? What role do you think the United States can play in supporting Cyprus in its efforts to end the division of the island? How do you think gas exploration in Cyprus' Exclusive Economic Zone will impact the political situation?

Answer. The U.S. Government is not a participant in the negotiations, but we have offered to provide any help that both sides would find useful. The administration will support the settlement process under U.N. auspices, which aims at achieving a bizonal, bicommunal federation, with political equality as stipulated in past United Nations Security Council Resolutions. As a friend to the people of Cyprus, the administration will continue to urge the leaders of both communities to engage constructively in the settlement process as the best way to reach an agreement. The administration will also engage Turkey and Greece to encourage reconciliation and reunification.

The development of offshore energy resources should be a positive incentive for the parties to work toward a comprehensive settlement. We continue to believe that, in the context of an overall settlement, the island's resources should be equitably shared between both communities.

Question. During your hearing you spoke at length about your concerns over human rights issues in Russia. Were you to be confirmed, how would you advise Members of Congress to approach our Russian Duma counterparts, with a view to seek changes to Russian legislation, such as the antigay propaganda bill? What would you do in your new role to support LGBT rights more broadly?

Answer. The administration has raised concerns about this legislation and other new laws negatively affecting civil society with Russian Government officials, both publicly and privately. If confirmed, I would encourage Members of Congress to do the same with their counterparts in the Russian Duma. The administration regularly supports congressional delegations visiting their Russian colleagues. Interactions of this kind provide an opportunity to urge Russia to honor its obligations and commitments with respect to freedoms of expression, association, and assembly.

Throughout my career, I have been an ardent supporter of LGBT rights, including most recently as State Department spokesperson when I spoke out regularly on these issues. If confirmed, I will work with our like-minded partners in all European countries and multilateral fora to protect the rights of LGBT individuals.

RESPONSES OF VICTORIA NULAND TO QUESTIONS SUBMITTED
BY SENATOR MARCO RUBIO

Question. What strategic goals does the President expect to accomplish in Europe by 2016?

Answer. Europe is our partner in everything we do around the world and as I said in my testimony, this administration's first task with our European allies is to revitalize the foundations of our global leadership and our democratic, free market way of life. We need growth and jobs on both sides of the Atlantic. The Trans-Atlantic Trade and Investment Partnership (T-TIP) that the United States and European Union began negotiating last week with the EU could support hundreds of thousands of additional jobs and strengthen our international competitiveness. But T-TIP is about more than our economic underpinnings. T-TIP is also a political and strategic investment in our shared future and our effectiveness as global leaders in the 21st century.

We must also focus on the unfinished work within Europe. Today, there is a real chance to capitalize on changing attitudes and circumstances to address the 40-year-old division of Cyprus. Kosovo and Serbia have made important commitments toward long-term reconciliation, thanks to the good offices of EU High Representative Ashton. And the United States cannot break faith with other members of our European and Eurasian family who have been trapped for too long in frozen conflicts and territorial disputes.

Together, the United States and Europe must also do more to defend the universal values that bind us. While all states in the EUR region hold elections and most have democratic constitutions, the quality of democracy and the rule of law in Europe and Eurasia is gravely uneven, and in some key places, the trends are moving in the wrong direction. Too many citizens do not feel safe criticizing their governments, running for office or advancing a vibrant civil society. In too many places, press freedom is stifled, courts are rigged and governments put their thumbs on the scales of justice. If, as a transatlantic community, we aspire to support and mentor other nations who want to live in justice, peace, and freedom, we must be equally vigilant about completing that process in our own space.

The United States and Europe must also continue to work together beyond our shores to advance security, stability, justice, and freedom. Our investment together in a safe, developing, democratic Afghanistan is just one example. As we look to future demands on our great alliance—and they will come—we must build on that experience, not allow it to atrophy. In these difficult budget times, that will require working even harder to get more defense bang for our buck, euro, pound, krone, and zloty with increased pooling, sharing, and partnering to ensure NATO remains the world's premier defense alliance and a capable coordinator of global security missions, when required.

America's work with European partners and the European Union across Africa, in Asia, on climate and on so many other global challenges must also continue. Today, the most urgent focus of common effort should be in Europe's own backyard and an area of vital interest to us all: the broader Middle East and North Africa. From Libya, to Tunisia, to Egypt, to Lebanon, to Iran, to Syria, to our work in support of Middle East peace, the United States and Europe are strongest when we share the risk, the responsibility, and in many cases, the financial burden of promoting positive change.

When this administration can, it must also work effectively with Russia to solve global problems. With respect to Iran, DPRK policy, Afghanistan, counterterrorism and nuclear arms control and nonproliferation, we have seen important progress in the past 4 years, and the President is looking for opportunities to take our cooperation to the next level. However, we must also continue to be frank when we disagree with Russian policy, whether it's with regard to weapons sales to the Assad regime in Syria or the treatment of NGOs, civil society, and political activists or journalists inside Russia.

Finally, the United States must be attentive to the fast changing energy landscape of Europe and Eurasia, and the opportunities and challenges that brings. We welcome these developments and need to ensure U.S. companies continue to play a leading role in this dynamic market.

As the President said in Berlin last month, "our relationship with Europe remains the cornerstone of our own freedom and security. "Europe is our partner in everything we do . . . and our relationship is rooted in the enduring bonds . . . (of) . . . our common values." In every decade since World War II those bonds have been tested, challenged, and in some quarters, doubted. In every decade, we have rolled up our sleeves with our European allies and partners and beat the odds. These times of tight money, unfinished business at home and competing priorities abroad are as important as any we have faced.

If confirmed, I pledge to seize the opportunities before us to revitalize and deepen our ties with Europe, and to ensure we continue to have the will, the trust, and the capability to advance our shared security and prosperity and to meet our many global challenges together.

Question. Please explain how the administration is ensuring that growing attention to the Asia-Pacific region does not come at the expense of security commitments in Europe, the Middle East, and South Asia?

Answer. The administration's plan to "rebalance" our global posture to augment our focus on the Asia-Pacific region does not diminish our close and continuing partnerships with European and other allies. Reductions in U.S.-stationed forces in Europe will not impede our ability to fulfill our article 5 or other enduring security commitments to allies and partners. Rather, changes to U.S. force posture in Europe—such as deployment of missile defense assets to Europe and an aviation

detachment to Poland; steps to enhance our special operations capability; investment in shared NATO capabilities like Alliance Ground Surveillance (AGS) and a revitalized NATO Response Force—will yield a capable, more modern U.S. presence in Europe that will enable us to partner with Europeans and other allies on regional and global security operations, build partner capacity, and respond to future contingencies. Even after the cuts are implemented, over 60,000 U.S. servicemembers will remain in Europe, supporting our defense commitments to our allies and U.S., NATO-led, and coalition operations globally. We will maintain two brigade combat teams in Europe as part of a large, permanent military footprint, one of the largest military footprints outside the United States.

NATO will remain the cornerstone of transatlantic security, and our European allies—NATO allies in particular—are our partners of first resort for dealing with the full range of global security concerns.

Question. There is significant concern in the Senate about the administration's potential interest to conduct further nuclear reductions outside of a formal treaty process. If confirmed, how would you intend to keep the Senate informed about discussions with the Russians on this issue?

Answer. The administration is committed to continuing its consultations with Congress on arms-control-related issues.

Last month the President said in Berlin that he intends to seek further negotiated reductions with Russia. The administration has just begun to have conversations with the Russians about how this might proceed, so it is very early to know their level of interest and what might be possible. Clearly anything we do must be rooted firmly in our own national interests and must meet the national security needs of the American People.

If confirmed, I would look forward to working closely with the Senate on these issues as they would relate to my responsibilities for the bilateral relationship with Russia. I have the utmost respect for the Senate's prerogatives and responsibilities with regard to these issues.

Question. What is the administration's assessment of civil freedoms and government transparency in Russia? What factors are most threatening to the development of independent civil society in Russia? How has the environment in which independent civil society operate in Russia changed over the last 4 years? Is there more or less space for them to operate freely?

Answer. The administration is concerned about the sharply negative trends in democracy and human rights in Russia, particularly the shrinking space available for Russian civil society. In the wake of the mass public protests that followed parliamentary elections in 2011, the Russian Government has adopted a series of measures aimed at restricting the workings of civil society and limiting avenues for public expressions of dissent. These include laws increasing fines for public protests, restricting the funding of nongovernmental organizations, recriminalizing libel, expanding the definition of treason, and curbing the rights of members of minority groups. A number of activists, human rights defenders, and opposition leaders are facing charges and prison in what appear to be politically motivated cases, while civil society organizations like election monitor Golos face steep fines, criminal prosecution, and the suspension of their activities under the "foreign agent" law.

The administration continues to believe that political pluralism, democratic accountability, and respect for human rights and rule of law are the keys to unlocking Russia's enormous potential. We will continue in public and private to urge Russia to reverse the negative democratic trends. If confirmed as Assistant Secretary of State, I will make it a priority to support the work of those Russians that strive to create a more free, modern, and democratic country.

Question. Does the administration have the tools necessary to continue to help independent civil society organizations in Russia?

Answer. As you are aware, at the request of the Russian Government, USAID closed its mission as of October 1, 2012. The Russian Government has also enacted a series of laws in the last year that restrict cooperation between Russian nongovernmental organizations and foreign partners. I regret the decision of the Russian Government to end USAID's operations and am concerned by its actions against NGOs in recent months.

While these actions have changed how we work with Russian NGOs, the administration remains committed to supporting the development of civil society in Russia and to fostering links between Russian and American civil society. The tools we have include people-to-people ties and exchanges, public diplomacy outreach, and the activities of the Bilateral Presidential Commission. The administration also raises its concerns about restrictions on civil society with Russian officials, both

publicly and privately. If confirmed, I will keep Congress informed of efforts to enhance these links, and I look forward to consulting with Congress as we develop new tools to support the aspirations of Russian civil society.

Question. What is the administration's assessment of the prosecution in Georgia of officials from the previous government? What is the status of the rule of law and due process in Georgia?

Answer. We are closely following the criminal cases involving officials from the previous government in Georgia. Embassy Tbilisi personnel observe courtroom proceedings, and meet regularly with international monitors from the OSCE's Office for Democratic Institutions and Human Rights (ODIHR) and with representatives of both the Office of the Chief Prosecutor and the defendants. We continue to urge Georgia to conduct prosecutions with full respect for the rule of law while avoiding the perception or reality of political retribution. The cases are ongoing, and we will continue to watch them closely with these criteria in mind.

Question. Does the administration plan to review U.S. civilian assistance programs in Georgia in light of ongoing political developments in the country? If so, how?

Answer. U.S. assistance is an important means for us to achieve our foreign policy goals in Georgia, and a significant portion supports programs that strengthen the rule of law, civil society, and democratic institutions. We regularly monitor and review our foreign assistance programs in every country, including Georgia, in order to ensure their effectiveness, alignment with our foreign policy goals, and responsiveness to changing events on the ground.

If confirmed, I will keep a close watch on assistance to Georgia to ensure it supports that country's democratic development and the rule of law.

Question. What is the administration's position on the popular protests that broke out in Turkey in late May and on the Turkish Government's response? How is this likely to affect United States-Turkey relations and the regional picture?

Answer. We continue to monitor developments in Turkey closely. As we have stated repeatedly, as Turkey's friend and NATO ally, we are concerned about the excessive use of force by police in several instances, endorse calls for a full investigation, and welcome efforts to calm the situation through an inclusive political dialogue. The United States supports full freedom of expression and assembly, including the right to peaceful protest, as fundamental to any democracy. If confirmed, I will continue to urge Turkey to strengthen its constitutional and legal protections of human and civil rights.

Question. What practical steps could the administration take to work with Turkish authorities in order to meaningfully reduce their interference with the Ecumenical Patriarchate in Turkey, including full freedom to choose its leadership?

Answer. The United States supports the Ecumenical Patriarchate's right to choose its own Patriarch and its efforts to obtain citizenship for Greek Orthodox Metropolitans, as well as gain recognition of the Patriarch's ecumenical status from the Turkish Government. We will continue to urge the Turkish Government to demonstrate its respect for religious freedom by working cooperatively with the Patriarchate to resolve these and other matters of importance to Orthodox Christians and other religious minorities in Turkey.

Question. Secretary Kerry expressed an interest in helping resolve the Cyprus problem. What are some of the ways the Secretary can do so in practical terms?

Answer. The U.S. Government is not a participant in the negotiations, but we have offered to provide any help that both sides would find useful. We will support the settlement process under U.N. auspices, which aims at achieving a bizonal, bicomunal federation, with political equality as stipulated in past United Nations Security Council Resolutions. As a friend to the people of Cyprus, we will continue to urge the leaders of both communities to engage constructively in the settlement process as the best way to reach an agreement. We will also use our relationship with Turkey and with Greece to encourage reconciliation and reunification.

If confirmed, I will work with Secretary Kerry to look for opportunities to support the reunification talks through his personal diplomacy and travel.

Question. It is troubling to hear Iranian officials' aggressive rhetoric on Azerbaijan, including discussions at the Iranian Parliament questioning Azerbaijan's territorial integrity. How is the administration working with our Azeri partners to counter Iran's growing threats to the region?

Answer. The United States and Azerbaijan have clear, shared interests in building regional security, diversifying energy supplies, pursuing democratic and economic reforms, combating terrorism, and stemming the flow of illegal narcotics and weapons of mass destruction. The Government of Azerbaijan has played an important role in enforcing international sanctions against Iran.

U.S. and Azerbaijani security cooperation is focused on a number of relevant issues including: Caspian maritime domain awareness, border security, combating illegal trafficking, and NATO interoperability. We convene the U.S.-Azerbaijan Security Dialogue each year to review progress, raise important bilateral issues, and pursue additional areas of cooperation. We also work with Azerbaijan on counterterrorism, and continue to support Azerbaijan's independence by cooperating closely with Azerbaijan to diversify energy routes and resources for European markets.

RESPONSES OF DOUGLAS E. LUTE TO QUESTIONS SUBMITTED
BY SENATOR MARCO RUBIO

Question. Given your role in overseeing Afghanistan policy at the White House since 2007, what is your view about the appropriate role for NATO in Afghanistan after 2014?

Answer. At the end of 2014, the Afghan forces will be fully responsible for security across the country, having already assumed the lead for security countrywide with the June 18 announcement of the "Mid-2013 Milestone." As agreed at the Chicago summit, the new NATO mission after 2014 will train, advise, and assist the Afghan forces. It will be a narrowly focused, noncombat mission, significantly smaller than the current International Security Assistance Force (ISAF) mission. NATO's ongoing planning calls for a "limited regional approach" to cover the army corps and police regions, and also focuses on national institutions, including the security ministries and main training facilities.

Question. I'm concerned about reports that the President may decide to not leave any U.S. forces in Afghanistan after 2014. What are your thoughts on the appropriate post-2014 U.S. presence?

Answer. The President is still reviewing a range of options from his national security team with respect to troop numbers and has not made a decision about the size of a U.S. military presence after 2014. The President has made clear that—based on an invitation from the Afghan Government—the United States is prepared to contribute to NATO's train-advise-assist mission and also sustain a U.S. counterterrorism capability. A number of factors will define the U.S. contribution beyond 2014, including progress in our core goal to defeat al-Qaeda, progress with the Afghan National Security Forces (ANSF), the Afghan political transition, the potential for Afghan-led peace talks, regional dynamics, and completion of a U.S.-Afghan Bilateral Security Agreement (BSA) and a NATO-Afghan Status of Forces Agreement (SOFA). We've made significant progress on the text of a BSA, which is required for us to retain U.S. troops in Afghanistan.

Question. I've also been troubled by the administration's recent decision to apparently drop several key conditions before agreeing to talk to the Taliban. What role did you play in the formulation of U.S. policy on this issue and what is your assessment of the likelihood that such talks will further our goal of a stable democratic Afghanistan that respects the rights of women and minorities?

Answer. As we have long said, and as President Obama and President Karzai reaffirmed together in January, as a part of the outcome of any negotiations, the Taliban and other armed opposition groups must break ties with al-Qaeda, end the violence, and accept Afghanistan's Constitution including its protections for women and minorities. There is no purely military solution to the Afghan conflict. The surest way to a stable, unified Afghanistan is for Afghans to talk to Afghans. We have called on the Taliban to come to the table to talk to the Afghan Government about peace and reconciliation. Our goal remains for Afghans to be talking to Afghans about how they can end the violence, move forward, and rebuild their country, while protecting the progress made over the past decade.

Question. What are your views on Russia's behavior in Europe and what measures NATO can take to reassure our allies in Central and Eastern Europe, particularly the Baltic countries, about our commitment to their security?

Answer. The United States has made clear publicly that Europe—including Russia—remains a key partner in meeting 21st century security challenges throughout the world. NATO and Russia disagree on a number of important issues—Georgia,

Syria, and missile defense are among them—but we also have some areas of common concern, like Afghanistan.

The United States is committed to strengthening the NATO alliance, with the cornerstone of NATO being the mutual defense commitment in article 5 of the Washington Treaty. We have political consultations with all of our NATO allies at every level, including ministers, on the full range of security issues. Allies also raise concerns about Russian policy directly with Russia in the NATO-Russia Council, where the United States continues to urge frank political dialogue, including on areas where NATO and Russia disagree.

The United States is fully capable of and determined to fulfill its article 5 commitments, and will remain so even after our ongoing force posture changes in Europe are implemented. With respect to the Baltics, one example of our commitment to their security is that we have committed to extending NATO's Baltic Air Policing mission and are working with the Baltic States on their contributions to sustaining this initiative through host nation support. This mission exemplifies the spirit of Smart Defense, which will become increasingly important as we reconcile NATO's security requirements with budget realities.

RESPONSES OF VICTORIA NULAND TO QUESTIONS SUBMITTED
BY SENATOR JOHN BARRASSO

RUSSIAN ADOPTIONS

Question. On December 28, 2012, Russian President Vladimir Putin signed into law a bill ending the intercountry adoptions between the United States and Russia. The law prevents U.S. citizens from legally adopting Russian children. The Russian law went into effect on January 1, 2013.

On January 1, 2013, the United States Senate unanimously passed Senate Resolution 628, which voiced disapproval of the Russian law. It also urges Russia to reconsider the law and prioritize the processing of intercountry adoptions involving parentless Russian children who were already matched with United States families before the enactment of the law.

There are numerous families across this Nation who are already in the process of adopting children from Russia, including a family in Sheridan, WY. According to the Department of State, there are currently between 500 and 1,000 U.S. families in various stages of the adoption process.

- Since January 1, 2013, what specific efforts have the U.S. Department of State made on allowing those American families to finalize their pending adoption of Russian children?

Answer. The United States deeply regrets Russia's decision to ban the adoption of Russian children by U.S. citizens, restrict Russian civil society organizations working with U.S. partners, and to terminate the U.S.-Russia Adoption Agreement. The Department has repeatedly engaged with Russian officials at all levels and urged them to permit all adoptions initiated prior to the law's enactment to move forward on humanitarian grounds.

Despite the Department's continued efforts, Russian officials reiterated in our April 17 and June 25 U.S.-Russia adoption discussions that they will only permit those cases where an adoption ruling was issued before January 1, 2013, to be completed.

The Department continues monthly meetings with the Russian Embassy to provide information regarding the U.S. child welfare system and to discuss intercountry adoption matters. The Department also continues to correspond with families that have reached out to the Department on broad and case-specific issues and to hold conference calls for families.

- If confirmed, what specific actions do you plan on taking to help those families already in the process of adopting children from Russia to be able to complete the adoption process?

Answer. The Department has repeatedly engaged with Russian officials at all levels and urged them to permit all adoptions initiated prior to the law's enactment to move forward on humanitarian grounds.

Despite the Department's continued efforts, Russian officials reiterated in our April 17 and June 25 U.S.-Russia adoption discussions that only those cases where an adoption ruling was issued before January 1, 2013, may be completed.

If confirmed, I will continue to raise this issue with Russian officials at all levels and encourage intercountry adoption as an important child welfare measure. While Russia has the sovereign right to ban the adoption of its citizens, if confirmed, I

will continue to underscore that this ban hurts the most vulnerable members of Russian society. I will also continue to highlight the dedication of U.S. families to these children.

- Will you commit to addressing this problem directly to the Russian Government?

Answer. The Department has repeatedly engaged with Russian officials at all levels and urged them to permit all adoptions initiated prior to the law's enactment to move forward on humanitarian grounds. In this effort, the Department continues monthly meetings with the Russian Embassy to provide information regarding the U.S. child welfare system and to discuss intercountry adoption matters.

If confirmed, I will continue to raise this issue with Russian officials at all levels and encourage intercountry adoption as an important child welfare measure. While Russia has the sovereign right to ban the adoption of its citizens, if confirmed, I will continue to underscore that this ban hurts the most vulnerable members of Russian society. I will also continue to highlight the dedication of U.S. families to these children.

- Will you ensure that the U.S. Department of State works with impacted U.S. families to provide them with updates and information regarding their individual cases?

Answer. The Department continues to correspond with families that have reached out to the Department on both broad and case-specific issues, and to hold conference calls for families. The Department values the input of all families and has met with a number of prospective adoptive parents to further discuss this matter. If confirmed, I will continue to make it a priority for the State Department to continue working with all U.S. families impacted by this ban and to keep them fully informed.

RUSSIA'S SUPPORT OF SYRIA

Question. It appears the administration's policy is to basically continue to ask Russia to use its leverage to help stop the violence in Syria. It is clear Russia has no such interest in doing that.

The Washington Post reported at the beginning of June that "sophisticated technology from Russia . . . has given Syrian Government troops new advantages in tracking and destroying their foes, helping them solidify battlefield gains against rebels." The same article went on to quote a Middle Eastern intelligence official as saying "we're seeing a turning point in the past couple of months, and it has a lot to do with the quality and type of weapons and other systems coming from . . . Russia."

It is clear Russia's continued support for Syrian President Assad is one of the main reasons close to 100,000 have been slaughtered in the current conflict. Russia has vetoed every resolution to come before the United Nations Security Council on the matter, and has also voted against a nonbinding General Assembly Resolution. The absurdity of thinking Russia is going to cooperate with us on Syria is self-evident.

- Can you help me understand why the administration thinks Russia has any interest at all in helping in Syria?

Answer. Russia's continued support to the Assad regime—military and otherwise—only serves to prolong the suffering of the Syrian people. Since the Syrian uprising began, the State Department and the administration have been extremely vigorous, both publicly and privately, in exposing and demanding a halt to Russia's support to the regime and its vetoes of three Security Council resolutions. The administration opposes any arms transfers to the Syrian regime and has repeatedly and consistently urged Russia to cease arms transfers and sales to the Assad regime.

In our Syria discussions with Russia, we continue to make the case that Moscow's current course of action is exacerbating the very regional instability that Russia has asserted is a danger to its interests. We have urged Russia stop all support for the regime and instead use its influence to bring the regime to the negotiating table to find a political solution that expresses the sovereign will of all Syrians. If confirmed, I will place a high priority on our efforts to change Russia's current calculation and seek more cooperation to end the suffering in Syria.

- What kind of cooperation is the administration currently seeking from Russia on the situation in Syria?

Answer. The administration continues to urge Russia to end all support for the Assad regime, especially military support, and to use its influence to help get the

parties to the negotiating table to discuss a political transition, along the line agreed in the Geneva Communiqué.

- What steps are being taken to end Russia's support for the Assad regime and the Russian Federation's complicity in the crimes against humanity being committed inside Syria?

Answer. The United States opposes any arms transfers to the Syrian regime, which has used helicopters, fighter jets, and ballistic missiles to attack civilians. The administration has repeatedly and consistently urged Russia to cease arms sales to the Assad regime. Providing the regime with additional weapons inhibits reaching a negotiated political solution to the conflict and contradicts Russia's stated policy of seeking an end to violence.

The United States, European partners, and Syria's neighbors have been consistent and unequivocal in conveying to Russia that supporting the Assad regime with arms and access to Russian banks is not in Russia's long-term interest and is damaging to the region and to Russia's global credibility.

Question. Russia is essentially a serial violator of arms control treaties. When President Obama completed New START there were a number of issues outstanding on the original START. The State Department is unable to verify Russian compliance with the Biological Weapons Convention or the Chemical Weapons Convention, while it affirmatively finds Russian noncompliance with the Conventional Forces in Europe Treaty and the Treaty on the Open Skies.

In his April 2009 speech in Prague promising to rid the world of nuclear weapons, President Obama proclaimed "rules must be binding. Violations must be punished. Words must mean something."

When Russia violates arms control agreements while the United States adheres to them, Russia gains a military advantage that puts U.S. national security at risk. For example, the former Commander of U.S. Strategic Command, General Chilton, predicated his support for U.S. nuclear levels and New START on the assumption "that the Russians in the post-negotiation time period would be compliant with the treaty."

- Do you agree with the position that for the arms control process to have any meaning, parties must adhere to the treaty commitments they have made?

Answer. Yes, parties must adhere to their treaty commitments. The administration reports regularly to the Congress on arms control compliance matters through the annual report on "Adherence to and Compliance with Arms Control, Nonproliferation and Related Agreements and Commitments." The Compliance Report for 2012 was transmitted to the Hill on July 9.

Regarding compliance matters in general, the administration takes very seriously the importance of compliance with arms control treaties and agreements. When compliance questions arise, the administration raises them frankly with our treaty partners and seeks to resolve them, and the administration will continue to do so.

If confirmed, I will approach issues of noncompliance with arms control treaties and agreements with the utmost seriousness. I look forward to working on these issues closely with colleagues in the administration as they relate to my responsibilities for the bilateral relationship with Russia.

- Do you agree with the position of President Obama that violations of arms control obligations must be punished?

Answer. As President Obama said in Prague, violations must be punished. Regarding compliance matters in general, the administration takes very seriously the importance of compliance with arms control treaties and agreements. When compliance questions arise, the administration routinely seeks to resolve them with treaty partners, and the administration will continue to do so.

If confirmed, I will approach issues of noncompliance with arms control treaties and agreements with the utmost seriousness. I look forward to working on these issues closely with colleagues in the administration as they relate to my responsibilities for the bilateral relationship with Russia.

- How has the administration punished Russia for its noncompliance?

Answer. As you know, the Department reports regularly to the Congress on arms control compliance matters through the annual report on "Adherence to and Compliance with Arms Control, Nonproliferation and Related Agreements and Commitments." The Compliance Report for 2012 was transmitted to the Hill on July 9. The Compliance Report lists several instances of concerns with Russian compliance. It also makes clear steps the United States has taken to address those concerns. With regard to the Conventional Forces in Europe (CFE) Treaty, for example, in 2011 the United States announced that as a legal countermeasure in response to Russia's

2007 “suspension” of CFE implementation, we would cease implementing certain treaty provisions vis-a-vis Russia. All our NATO allies and two other treaty parties took a similar step.

The Department discusses compliance concerns with Russia in bilateral channels as well as in appropriate multilateral fora, and the Department will continue to discuss these issues and press for full compliance with and implementation of treaty obligations. The Department also keeps Congress informed of such matters, both through the compliance report and through interagency briefings with relevant congressional committees.

If confirmed, I will approach issues of noncompliance with arms control treaties and agreements with the utmost seriousness. I look forward to working on these issues closely with colleagues in the administration as they relate to my responsibilities for the bilateral relationship with Russia.

- Can you explain why the United States would enter into negotiations for future arms control treaties when there is evidence of a major arms control violations that remain unresolved with Russia?

Answer. The United States enters into and remains in arms control agreements that are in our national security interest. Russia is in compliance with the New START Treaty, which includes the right to conduct inspections of Russian strategic forces—an opportunity that the administration would not have without the New START Treaty.

Last month the President said in Berlin that he intends to seek further negotiated reductions with Russia. The administration has just begun to have conversations with the Russians about how this might proceed, so it is very early days to know their level of interest and what might be possible. Clearly anything we do must be rooted firmly in our own national interests and must meet the national security needs of the American people.

If confirmed, I would look forward to working closely with the Senate on these issues as they would relate to my responsibilities for the bilateral relationship with Russia.

Question. Presidential candidate Obama promised robust consultation with allies in developing the foreign policy of the United States. Specifically, for example, at the Munich Security Conference in 2009, Vice President Biden said we would develop missile defenses in Europe “in consultation with you, our NATO allies.”

The facts are, unfortunately, quite different, as “consult” has really turned out to mean “inform.” When President Obama in 2009, in a gift to the Russians, cancelled plans to deploy certain missile defense systems in Europe, the New York Times reported the Czech Republic was informed of this decision by “a hasty phone call after midnight from Mr. Obama to the Czech Prime Minister.”

This is particularly ironic, given that Senator Obama said on the floor on July 17, 2007: “The Bush administration has also done a poor job of consulting its NATO allies about the deployment of a missile defense system.”

- Do you pledge to consult with our allies in NATO and across Europe in developing U.S. foreign policy initiatives of consequence to them, especially U.S. arms control and missile defense plans?

Answer. Yes. As U.S. Ambassador to NATO from 2005 to 2008, it was my honor and privilege to maintain the closest possible consultations with our allies on all issues of shared concern, notably including missile defense. If confirmed, I look forward to resuming these relationships.

The administration regularly consults with allies on both arms control and missile defense. The United States works closely with our NATO allies regarding our commitment to further nuclear reductions and to maintain a safe, secure, and effective nuclear deterrent. During his recent speech in Berlin the President also reaffirmed the U.S. commitment to continued consultations with allies on future nuclear reductions. Similarly, the administration works closely with NATO allies and others on missile defense, regularly updating them and exchanging views on missile defense plans.

- Do you promise to share with [allies in NATO and across Europe] information we learn about Russia bearing on the security of our allies?

Answer. Yes. If confirmed, I look forward to maintaining the closest possible security consultations with our allies, and sharing relevant information, including with regard to Russia.

RESPONSES OF DOUGLAS E. LUTE TO QUESTIONS SUBMITTED
BY SENATOR JOHN BARRASSO

Presidential candidate Obama promised robust consultation with allies in developing the foreign policy of the United States. Specifically, for example, at the Munich Security Conference in 2009, Vice President Biden said we would develop missile defenses in Europe “in consultation with you, our NATO allies.”

The facts are, unfortunately, quite different, as “consult” has really turned out to mean “inform.” When President Obama in 2009, in a gift to the Russians, canceled plans to deploy certain missile defense systems in Europe, the New York Times reported the Czech Republic was informed of this decision by “a hasty phone call after midnight from Mr. Obama to the Czech Prime Minister.”

This is particularly ironic, given that Senator Obama said on the floor on July 17, 2007: “The Bush administration has also done a poor job of consulting its NATO allies about the deployment of a missile defense system.”

Question. Do you pledge to consult with our allies in NATO and across Europe in developing U.S. foreign policy initiatives of consequence to them, especially U.S. arms control and missile defense plans?

Answer. Yes. If confirmed, I pledge to continue the close discussions we have had with our NATO allies on the full range of security issues, including missile defense and arms control, as we seek to further deepen our ties with Europe. In my military career, from Europe and Kosovo to overseeing operations in Iraq and Afghanistan, I appreciate the value and importance of consulting with our allies. As Assistant Secretary-designate Nuland has also noted, the policy of this administration is that the United States works closely with our NATO allies regarding our commitment to further nuclear reductions and to maintain a safe, secure, and effective nuclear deterrent. During his recent speech in Berlin the President also reaffirmed the U.S. commitment to continued consultations with allies on future nuclear reductions. The United States is also firmly committed to engaging allies regularly regarding bilateral consultations with Russia on missile defense and soliciting their views.

Question. Do you promise to share with [allies in NATO and across Europe] information we learn about Russia bearing on the security of our allies?

Answer. Yes. If confirmed as United States Ambassador to NATO, I look forward to maintaining the closest possible security consultations with our allies, and sharing relevant information, including with regard to Russia. We regularly consult with NATO allies on the full range of security issues, including those related to Russia, at every level. All allies share information bearing on our common security concerns. In addition to discussions within NATO, which inform our approach to issues including arms control and missile defense, we have also briefed allies on our bilateral conversations with Russia, as appropriate. NATO allies also raise questions and concerns about Russian policy directly with Russia in the NATO-Russia Council, where the United States continues to urge frank political dialogue, including on areas where NATO and Russia disagree.

NOMINATION OF SAMANTHA POWER

WEDNESDAY, JULY 17, 2013

Samantha Power, of Massachusetts, to be the Representative of the United States of America to the United Nations, the Representative of the United States of America in the Security Council of the United Nations, and to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

The committee met, pursuant to notice, at 10:18 a.m., in room SD-419, Dirksen Senate Office Building, Hon. Robert Menendez (chairman of the committee) presiding.

Present: Senators Menendez, Cardin, Shaheen, Udall, Murphy, Kaine, Corker, Risch, Rubio, Johnson, Flake, McCain, Barrasso, and Paul.

OPENING STATEMENT OF HON. ROBERT MENENDEZ, U.S. SENATOR FROM NEW JERSEY

The CHAIRMAN. Good morning. This hearing of the Senate Foreign Relations Committee will come to order.

Good morning, Ms. Power. Welcome to the Senate Foreign Relations Committee.

Your nomination as Ambassador to the United Nations has come with much fanfare and with some criticism which, at the end of the day, means you must be doing something right. But without fanfare or criticism, I do not believe anyone can question your credentials. Nor can anyone question your service.

And certainly no one can question your willingness to speak your mind, often forcefully, always passionately, and usually without hesitation, and I commend you for your willingness to speak out, particularly on human rights issues around the world, whether as a war correspondent in Bosnia, in the former Yugoslavia, in Rwanda and Sudan where, as you said in your Pulitzer Prize winning book on genocide, you witnessed “evil at its worst.”

You have been an unrelenting, principled voice when it comes to human rights and crimes against humanity, and I know that voice will be heard around the world, should you be confirmed.

Personally, I am incredibly appreciative of the principled position you have taken, on many of these issues, but particularly on the

Armenian genocide. In 2007, you wrote in Time Magazine, “a stable, fruitful 21st century relationship,” in referring to Turkey, “cannot be built on a lie.” And I completely agree.

Your belief that we should use the lessons of what clearly was an atrocity of historic proportions to prevent future crimes against humanity is a view consistent with my own and many others on this committee and which is supported by your role on the President’s Atrocities Prevention Board.

I agree that we must acknowledge and study the past, understand how and why atrocities happen, to put into practice and give meaning to the phrase “never again.”

As the son of immigrants from Cuba, one whose family and friends bore witness to, suffered, and continue to suffer under the Castro regime’s oppression, I personally appreciate your commitment to exposing the Castro dictatorship’s total disregard for human and civil rights and for not idealizing the harsh realities of communism in Cuba. I know from the conversation we had in my office that you appreciate the suffering of the Cuban people, the torture, abuse, detention, and abridgment of the civil and human rights of those who voice their dissent.

I also welcomed your commitment to reach out to Rosa Maria Paya, a daughter of the longtime dissident and Cuban activist, Oswaldo Paya, who died under mysterious circumstances last year in Cuba. Ms. Paya is in Washington this week accepting a posthumous award from the National Endowment for Democracy on behalf of another young activist from Cuba who died alongside Oswaldo Paya, making your commitment to reach out to her that much more timely.

And yesterday’s news of the discovery of illegal arms shipments from Cuba to North Korea reinforces in my view the necessity of the United States keeping Cuba on the list of countries who are the sponsors of terrorism.

I share your view that we should not lose sight of these moral issues even as we are addressing the pressing economic and security issues that confront our Nation.

It is fitting that you will be at the United Nations, which was created after a period of atrocity and conflict with the goal of bringing nations together to achieve peace and stability.

In the words of the U.N. preamble that was created, quote, “to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women of nations large and small.”

If confirmed, your focus on the United Nations will, no doubt, be on the crisis du jour, the Middle East, Syria, Iran, North Korea, Afghanistan, Pakistan, increasingly North Africa, and the nature of nations that emerge from the Arab Spring. But I would encourage you to also keep your focus and task your staff to not forget what is happening off the front page as well as on it: What may be happening on freedom of expression in Latin America; fighting HIV/AIDS, malaria, and polio in Africa; on the status of talks to resolve the 66-year-long question of Cyprus; on women’s rights in Pakistan; labor rights in Bangladesh; and human rights in Sri Lanka.

The United Nations, for all its faults, has a great ability to serve as an arbitrator and neutral fact-finder and overseer of peace. I

urge you to harness its strengths in the interests of our Nation and not coincidentally in the interest of fulfilling the stated purpose of the United Nations, which is to unite our strength to maintain international peace and security.

We will address these issues, among many others, in our questioning, but let me take this opportunity again to welcome you to the committee and to say that we look forward to a full and frank dialogue on the issues you will face, should you be confirmed.

Let me also say for the record if there are additional questions for the record of this nominee, they should be submitted by 5 p.m. today.

With that, let me turn to the distinguished ranking member of the committee, Senator Corker, for his opening statement.

**STATEMENT OF HON. BOB CORKER,
U.S. SENATOR FROM TENNESSEE**

Senator CORKER. Mr. Chairman, thank you for having this hearing.

And I want to welcome the nominee. We had a very good meeting.

I will be brief.

I know you are going to be received very well here in spite of the two introducers that you have beside you.

But I do appreciate the time and the candor in our office. I want to thank you for being willing to serve in this way, and I think you know our Ambassador to the United Nations is one of the most important diplomatic posts that we have. You have daily contact with leaders from all around the world and, therefore, are maybe out there amongst people around the world more than anybody else, and it can be a critical component of our diplomatic efforts.

We are the largest contributor to the United Nations. I think you know that. And I hope that one of the things you are going to pursue—I know you are very policy-oriented, and I appreciate that, but I hope you are also going to pursue reforms at the United Nations to cause it to function in a much better way for not only U.S. taxpayers but for the world. All too often—I think you know this—the United Nations acts as a place where bad actors deflect criticism. And I hope that you will—I think you will actually—but I hope you will follow the footsteps of predecessors like Daniel Patrick Moynihan and Jeane Kilpatrick who basically got out there and championed our national interests at the United Nations even when it was unpopular.

So, again, I thank you for coming before us today. I look forward to your service. I know there will be a number of questions today that I know you will answer well. And, again, thank you for your willingness to serve.

Mr. Chairman, I look forward to hearing from our extra-distinguished guests today that I know are looking at their watch wanting to go to the next hearing, even though they are glad to be here I know.

The CHAIRMAN. Thank you, Senator Corker.

We are pleased to have our distinguished colleagues from Georgia with us to introduce Ms. Power to the committee. So I will first

recognize the senior member from Georgia, Senator Chambliss, followed then by Senator Isakson.

**STATEMENT OF HON. SAXBY CHAMBLISS,
U.S. SENATOR FROM GEORGIA**

Senator CHAMBLISS. Well, thank you very much, Chairman Menendez and Senator Corker, for allowing Johnny and me to come today to introduce Samantha Power to the Foreign Relations Committee.

Samantha is already well known by this committee, but suffice it to say she is an Irish-born American who matriculated to Atlanta to become educated in high school to prepare herself not just for this job but to go to Yale and go to Harvard Law School. Pretty good credentials coming out of Lakeside High School in Atlanta.

She has a passion for human rights, as you stated, Mr. Chairman, and she takes her passion very seriously. She is a prolific writer who believes in what she is writing about to the extent that she gets into the fray as she did in Yugoslavia by dodging bullets to report on the war in Yugoslavia.

She is a Pulitzer Prize winning author.

She has extensive foreign policy experience as a staffer, as well as a member of the President's national security team.

You know, the job that she has been nominated by the President to assume is a very difficult job. It is one that requires charisma and at the same time toughness. Now, I am told by her friends that Samantha can be kind and gentle, but she is one more smart, tough lady who can express herself in very strong terms when she needs to. And she is going to need that ability.

I look forward to seeing her as an adversary to some of the tougher leaders around the world that she will be dealing with at the United Nations because I am confident that the same passion she has for human rights she has for this country, and she will express that passion in no uncertain terms.

She is going to be a great representative of the United States as Ambassador to the United Nations. I commend her to you highly, and I look forward to seeing her confirmed in short order.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator Isakson.

**STATEMENT OF HON. JOHNNY ISAKSON,
U.S. SENATOR FROM GEORGIA**

Senator ISAKSON. Thank you, Chairman Menendez, Senator Corker. It is an honor to be here to introduce a woman with Georgia roots.

At the age of 9, Samantha's parents brought her from Ireland to the United States and she ended up at Lakeside High School in DeKalb County, Georgia, where she graduated.

I did some research to find out what others said about her when she was in Georgia, and a good friend of mine, Jeff Hullinger, who is the sports director for WSB in Atlanta, had her as one of his interns in 1989. And I want to quote directly from what he said about Samantha. He said "she seemed to be a fish out of water in the sports department. Oh, my God, was she bright, acerbic, light-

ning-witted, and the depth of the Mariana Trench.” So I do not know if you have got a better introduction or a better compliment than that, but Jeff said she is one of the brightest people that he has ever known.

I appreciate her asking me to introduce her today, and I will just share a few thoughts additional to those Senator Chambliss said.

As you know, I have traveled to Sudan. I have traveled to Rwanda. I have been to some of the places Samantha has written about and been an activist about. In fact, in her book about Rwanda, “A Problem from Hell,” which was a great book, she wrote that she could not believe that during the 3 months of the slaughter of over a million Rwandans, there was not even a high-level meeting at the White House. That, I am sure, was part of the motivation for her to create the Atrocities Prevention Board in the White House and for her to be a part of it.

Rich Williamson, who was the Special Envoy for President Bush to the Sudan, who I met with in Darfur—Senator Corker traveled with me to Darfur—gives her high marks.

My dear friend, Senator Bob Dole, sent me an e-mail after her nomination and said this is one woman who is most appropriate for the position to which she has been nominated.

Last, I am the Republican designee from the United States Senate to the United Nations for this session of Congress. Senator Leahy is the Democrat. I have traveled to the U.N. Security Council and watched the challenges that Senator Corker referred to in dealing with those 13 members. I have no reservation or doubt whatsoever that Samantha Power will be just what her name implies, a powerful representative of the United States of America in a very powerful body, the Security Council of the United Nations.

It is a pleasure and a privilege for me to introduce her and I wish her the best of luck in her confirmation.

The CHAIRMAN. Well, we thank both of our colleagues for coming and joining our work.

We welcome Senator Isakson back to the committee. Senator Isakson was a distinguished member of the committee. We miss him on the committee, and we hope that in some point he will return in the future.

And I know you have busy schedules. So when you feel it appropriate, please feel free to leave as you need to.

With that great set of introductions, Ms. Power, you are welcome to start your testimony. If you have family or friends here, please feel free to introduce them. We understand this is a commitment not only of yourself but family, and we appreciate that.

Your full statement will be entered into the record, without objection. And the floor is yours.

STATEMENT OF SAMANTHA POWER, OF MASSACHUSETTS, TO BE THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS, THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA IN THE SECURITY COUNCIL OF THE UNITED NATIONS, AND TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SESSIONS OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS

Ms. POWER. Thank you, sir, and thank you, Ranking Member Corker and distinguished members of this committee.

It is a great honor to appear before you as President Obama's nominee to serve as the U.S. Permanent Representative to the United Nations. Representing the United States would be the privilege of a lifetime. I am grateful to the President for placing his trust in me.

I would like to thank my friends and my remarkable family. My parents, who brought me here from Ireland, Vera Delaney and Edmund Bourke; my husband Cass Sunstein; and our children, 4-year-old Declan and 1-year-old Rian, who has already proven less interested in this hearing than others here today. [Laughter.]

I would also like to thank Senator Chambliss and Senator Isakson for their generous, remarkable introductions. Growing up as an Irish immigrant in Atlanta, GA, I cannot say that the United Nations was a popular topic with my classmates at Lakeside High School. But it was in Georgia, while working at the same local television station, that I witnessed footage of the massacre in Tiananmen Square and resolved then that I would do what I could for the rest of my life to stand up for American values and to stand up for freedom. My Georgia friends supported me every step of the way, and I am so proud now to count these two great public servants, Senator Isakson and Senator Chambliss, among them.

When I first came to this country, I viewed the United Nations as a place where people assembled to resolve their differences. It was the stage, as Senator Corker said, on which iconic Americans like Daniel Patrick Moynihan and Jeane Kirkpatrick stood up for what was right.

Unfortunately, when I traveled to the Balkans in 1993, I saw a different side to the United Nations. U.N. peacekeepers had been sent to protect civilians, but in the town of Srebrenica, more than 8,000 Muslim men and boys were executed in cold blood as the peacekeepers stood idly by.

The United Nations is, of course, multifaceted and its record mixed. It was with the support of the United Nations that I traveled in 2004 to Darfur where I discovered a mass grave and many charred villages, hallmarks of the genocide being carried out by the Sudanese Government. Today it is the World Health Organization that is helping to provide polio vaccinations, even as terrorists wage an assassination campaign against doctors.

And last Friday, it was the United Nations that provided a stage for Malala, the brave, young Pakistani girl who was shot last year by the Taliban on her way home from school. Together, she and the United Nations will inspire millions to stand up for girls' education.

Yet alongside all of this within the United Nations, an organization built in part to apply the lessons of the Holocaust, we also see unacceptable attacks against the State of Israel. We see the absurdity of Iran chairing the U.N. Conference on Disarmament. We see the failure of the U.N. Security Council to respond to the slaughter in Syria, a disgrace that history will judge harshly.

What is also clear, 68 years after the United Nations was founded in San Francisco, is that an effective United Nations depends on effective American leadership. The war in Bosnia did not end because the United Nations acted. It ended because President Clinton, backed by a bipartisan coalition in Congress, including Senator McCain, took robust action. It is now possible to imagine an AIDS-free generation in Africa not merely because of the essential work of UNAIDS, but because President George W. Bush decided to provide lifesaving drugs on a massive scale.

I believe that America cannot—indeed, I know that America should not—police every crisis or shelter every refugee. While our good will knows no bounds, our resources are, of course, finite, strained by pressing needs at home, and we are not the world's policeman. We must make choices based on the best interests of the American people, and other countries must share the costs and burdens of addressing global problems.

There are challenges that cross borders that the United States alone cannot meet. There are cases, as with sanctions against Iran and North Korea, where U.S. efforts pack far more punch when we are joined by others. There are occasions, as in Mali today, when the United Nations has to step up to prevent state failure which abets terrorism.

An effective United Nations is critical to a range of U.S. interests.

Let me highlight quickly three key priorities that I would take up, if confirmed by the Senate.

First, the United Nations must be fair. The United States has no greater friend in the world than the State of Israel. We share security interests. We share core values, and we have a special relationship with Israel. And yet, the General Assembly and Human Rights Council continue to pass one-sided resolutions condemning Israel. Israel, not Iran, not Sudan, not North Korea, is the one country with a fixed place on the Human Rights Council's agenda. Israel's legitimacy should be beyond dispute and its security must be beyond doubt. And just as I have done as President Obama's U.N. advisor at the White House, I will stand up for Israel and work tirelessly to defend it.

Second, the United Nations must become more efficient and effective. In these difficult budget times, when the American people are cutting back, the United Nations must do the same. This means eliminating waste, strengthening whistleblower protections, ending any tolerance for corruption, and getting other countries to pay their fair share. It means closing down those missions and programs that no longer make sense. The United States has the right and the duty to insist on reform, and if confirmed, I will aggressively pursue this cause.

Third, the United Nations must stand up for human rights and human dignity, which are American values and universal values.

Today, the Universal Declaration of Human Rights is widely hailed and yet only selectively heeded.

Taking up the cause of freedom is not just the right thing to do, it is, of course, the smart thing to do. Countries that violate the rights of women and girls will never approach their full potential. Countries that do not protect religious freedom create cleavages that destabilize whole regions. If I am given the honor of sitting behind the sign that says "United States," I will do what America does best: stand up against repressive regimes and promote human rights. I will also do everything in my power to get others to do the same.

This means contesting the crackdown on civil society being carried out in countries like Cuba, Iran, Russia, and Venezuela. It means calling on the world to unite against human trafficking and against the grotesque atrocities being carried out by the Assad regime. And it means uniting peoples who long to live free of fear in the cause of fighting terrorism.

Mr. Chairman, Ranking Member Corker, and other distinguished members of the committee, the late ambassador, my friend, Richard Holbrooke, told this committee that Congress should be in on the take-offs, not just the landings. I appear before you today not just to seek your support, but to ask to join you in a conversation about how to strengthen what is right and fix what is wrong at the UN. If I am confirmed, I will continue this dialogue directly and personally. And if the prospect of visiting the UN does not immediately entice you, my son Declan has resolved to become a tour guide like no other.

If I am given the privilege of sitting behind America's placard, behind the "United States of America," you will be able to count on me. I will fight fiercely every day for what is in the best interests of the United States and of the American people. I will be a blunt, outspoken champion of American values and human rights. I will be accessible and forthright in my dialogue with you, and above all, I will serve as a proud American, amazed that yet again this country has provided an immigrant with such an opportunity, here the ultimate privilege of representing the United States and fighting for American values at the United Nations.

Thank you, and I look forward to answering your questions.

[The prepared statement of Ms. Power follows:]

PREPARED STATEMENT SAMANTHA POWER

Thank you, Mr. Chairman, Ranking Member Corker, and distinguished members of the committee.

It is a great honor to appear before you as President Obama's nominee to serve as the United States Permanent Representative to the United Nations. Representing the United States of America would be the privilege of a lifetime. I am grateful to the President for placing his trust in me.

I would like to thank my friends and my remarkable family who are here with me today—my parents, who brought me here from Ireland, Vera Delaney and Edmund Bourke; my husband, Cass Sunstein; and our children, 4-year-old Declan and 1-year-old Rian, who may prove less interested in this hearing than others here today.

I would also like to thank Senator Chambliss and Senator Isakson for their generous introductions. Growing up as an Irish immigrant in Atlanta, GA, I cannot say that the United Nations was a popular topic with my classmates at Lakeside High School. But it was in Georgia, while working at a local television station, that I witnessed footage of the horrible massacres in Tiananmen Square and resolved that I

would do what I could the rest of my life to stand up for American values and to stand up for freedom. My Georgia friends supported me every step of the way, and I am now very proud to count these two great public servants among them.

When I first came to this country, I viewed the United Nations as a place where people assembled to resolve their differences and prevent hunger and disease. It was the stage on which iconic Americans like Daniel Patrick Moynihan and Jeane Kirkpatrick stood up for what was right.

Unfortunately, when I traveled to the Balkans in 1993, I saw a different side to the U.N. The U.N. Security Council had sent peacekeepers to Bosnia to protect civilians. But in the town of Srebrenica, those Bosnians who sought the protection of the blue helmets were handed over to those who wished them harm. More than 8,000 Muslim men and boys were executed in cold blood, as the peacekeepers stood idly by.

A decade later, I traveled across the Chadian border into Darfur to document the genocide being carried out by the Sudanese Government. After discovering a mass grave and many charred villages, I brought out some of the burnt remnants of those villages, which were exhibited at the U.S. Holocaust Museum. It was U.N. humanitarian workers who steered me to living witnesses, so eager were they to expose the regime-sponsored horror. I should note that, as the crisis in Darfur once again intensifies, U.N. peacekeepers on Saturday suffered a horrific ambush that killed 7 soldiers and wounded 17 others—a reminder of the risks that U.N. personnel face every day.

Elsewhere, today, we see physicians from the World Health Organization working with governments and local volunteers to provide polio vaccinations in Nigeria and Pakistan—determined to heal even as terrorists wage a campaign of assassinations against them. Just last Friday, the U.N. provided a platform for Malala Yousafzai—the brave young Pakistani girl who was shot in the head last year by Taliban gunmen on her way home from school—to inspire millions to stand up for girls' education.

Yet within this organization built in the wake of the Holocaust—built in part in order to apply the lessons of the Holocaust—we also see unacceptable bias and attacks against the State of Israel. We see the absurdity of Iran chairing the U.N. Conference on Disarmament, despite the fact that its continued pursuit of nuclear weapons is a grave threat to international peace and security. We see the failure of the U.N. Security Council to respond to the slaughter in Syria—a disgrace that history will judge harshly.

The U.N. is multifaceted, and its record mixed. But 68 years after the United Nations was founded in San Francisco, one fact is as true today as it was then: an effective U.N. depends on effective American leadership. The war in Bosnia didn't end because the U.N. was shamed by the massacres in Srebrenica. It ended because President Clinton, backed by a bipartisan coalition in Congress, decided that American values and interests were imperiled and acted to end the war. It is now possible to imagine an AIDS-free generation in Africa not merely because of the essential work of UNAIDS, but because President George W. Bush decided to provide life-saving drugs on a massive scale.

I believe that America cannot—indeed, I know that America should not—police every crisis or shelter every refugee. While our good will knows no bounds, our resources are finite, strained by pressing needs at home. And we are not the world's policeman. We must make choices based on the best interests of the American people. And other countries must share the costs and burdens of fighting injustice and preventing conflict.

That is where the U.N. can be very important. There are challenges that cross borders that the United States alone cannot meet—terrorism, nuclear proliferation, and pandemics. There are cases—as with sanctions against Iran and North Korea—where U.S. efforts pack a far greater punch when we are joined by others. There are occasions—as in Mali today—when the U.N. has to step up to prevent state failure, which abets terrorism and regional instability.

An effective U.N. is thus critical to a range of U.S. interests, and strong American leadership at the U.N. is indispensable to advancing those interests. Under the leadership of President Obama, the U.N. supported action to save countless lives in Libya; assisted a peaceful referendum giving birth to an independent South Sudan; and established a new agency dedicated to the empowerment of women worldwide.

If I am confirmed by the Senate, I will remain clear-eyed about the U.N.'s flaws as well as its promise, and I will fight fiercely every day for what is in the best interests of the United States and the American people. The list of our challenges in New York is of course long, but let me highlight three key priorities.

First, the U.N. must be fair. The U.N. cannot focus disproportionate attention on a few, while giving a pass to others flouting their international obligations. There

cannot be one standard for one country and another standard for all others. The United States has no greater friend in the world than the State of Israel. Israel is a country with whom we share security interests and, even more fundamentally, with whom we share core values—the values of democracy, human rights, and the rule of law. America has a special relationship with Israel. And yet the General Assembly and Human Rights Council continue to pass one-sided resolutions condemning Israel above all others. Israel—not Iran, not Sudan, not North Korea—is the one country with a fixed place on the Human Rights Council’s agenda. Israel’s legitimacy should be beyond dispute, and its security must be beyond doubt. Just as I have done the last 4 years as President Obama’s U.N. adviser at the White House, I will stand up for Israel and work tirelessly to defend it.

Second, the U.N. must become more efficient and effective. In these difficult budget times, when the American people are facing tough cuts and scrutinizing every expense, the U.N. must do the same. This means eliminating waste and improving accounting and internal management. This means strengthening whistleblower protections and ending any tolerance for corruption. It means getting other countries to pay their fair share. And it means closing down those missions and programs that no longer make sense. As both the U.N.’s principal founding member and its largest contributor, the United States has the right and the duty to insist on reform. I will aggressively pursue this cause.

Third, the U.N. must stand up for human rights and human dignity, which are American and universal values. The U.N. Charter calls for all countries “to reaffirm faith in fundamental human rights and the dignity and worth of the human person.” But fewer than half of the countries in the world are fully free. The Universal Declaration on Human Rights is universally hailed and yet only selectively heeded.

Taking up the cause of freedom is not just the right thing to do, nor is it simply the American thing to do; it is the smart thing to do. Countries that abuse their own people are unstable. Countries that violate the rights of women and girls will never approach their full potential. Countries that allow people to be trafficked provide safe haven to dangerous transnational criminal organizations. Countries that do not protect religious freedom create cleavages and extremism that cross borders and destabilize whole regions. Countries that fail to invest in the health and education of their citizens undermine our shared efforts to promote opportunity. Countries that are corrupt trample upon the dignity of their people, while scaring away investment. If I am given the honor of sitting behind the sign that says “United States,” I will do what America does best: stand up against repressive regimes, fight corruption, and promote human rights and human dignity. I will also do everything in my power to get others to do the same.

This means pushing for democratic elections, but also pushing for the freedoms necessary for democracy to work—freedom of speech, freedom of the press, freedom of assembly, freedom of religion, independence of the judiciary, and civilian control over the military. It means contesting the crackdown on civil society being carried out in countries like Cuba, Iran, Russia, and Venezuela. It means calling on the countries of the world to unite against human trafficking and against grotesque atrocities of the kind being carried out by the Assad regime. It means ensuring that in places like the Democratic Republic of Congo, peacekeepers sent into harm’s way have the resources and the will to protect civilians. It means bolstering U.N. mediation so that conflicts can be defused before they become costly, protracted wars. It means strengthening non-U.N. forums like the Community of Democracies and President Obama’s flagship governance initiative, the Open Government Partnership. It means redoubling our efforts to end extreme poverty. And it means uniting peoples who long to live free of fear in the cause of fighting terrorism and terror of all kinds.

Mr. Chairman, Ranking Member Corker, and other distinguished members of the committee, let me stress before closing that this administration will most effectively confront our current challenges if we benefit from the counsel and collaboration of this essential committee, and if we can earn the bipartisan support of both Houses of Congress. I would like to echo the words of the late Ambassador, my friend Richard Holbrooke, who told this committee that “Congress should be in on the takeoffs, not just the landings.” So I appear before you not just to seek your support, but to ask to join you in a conversation about how to strengthen what is right and fix what is wrong at the U.N. If I am confirmed, I will continue this dialogue directly and personally. If the prospect of visiting the U.N. does not immediately entice you, my son Declan has resolved to become a tour guide like no other.

In closing, please know that, if I am given the privilege of sitting behind America’s placard, you will be able to count on me. I will tirelessly promote and defend U.S. interests. I will be a blunt, outspoken champion of American values and of human rights. I will be a straight-shooter, always accessible to you and forthright

in my dialogue with you and the American people. And above all, I will serve as a proud American, amazed that yet again this country has provided an immigrant with such opportunity—here, the ultimate privilege of representing the United States and fighting for American values at the United Nations.

Thank you. I look forward to answering your questions.

The CHAIRMAN. Well, thank you very much for your statement. We will start a round of questioning.

And I would just say that following Declan at the United Nations, I would not get lost because I would see that red hair no matter what. [Laughter.]

And he is being very well behaved despite that this is boring. [Laughter.]

Ms. POWER. The day is young. [Laughter.]

The CHAIRMAN. We have got a lot of rooms here.

Let me start off. I appreciate your statement on Israel, and I agree with you wholeheartedly.

You know, above and beyond fighting battles against those who seek to delegitimize Israel, the United States has been very helpful in promoting Israel's position at the United Nations. As you know, Israel is seeking to represent The Western Europe and Others Group on the Security Council in 2018, representing the first time that Israel would serve at the pinnacle of the U.N. system.

Do you know if we are working to promote Israel for the Security Council, and how can we work in that regard? As well as the other injustice that Israel faces in the U.N. system is that in Geneva, unlike in New York, Israel is not part of any regional grouping. So would you commit to the committee that you will make efforts, should you be confirmed, to have Israel among the family of nations have an opportunity just like any other country would?

Ms. POWER. Absolutely, sir. I did speak in my opening remarks about fighting delegitimation, but what is a critical complement to that is legitimation. We have had modest success I think working with our Israeli friends to secure leadership positions across the U.N. system such as the vice-presidency of the General Assembly several years back, some leadership roles in U.N. Habitat and other organizations, membership in WEOG and participation in WEOG in New York.

But you are right. The Security Council seat is one that has eluded Israel despite its many contributions across the years. And I commit to you wholeheartedly to go on offense, as well as playing defense, on the legitimation of Israel and will make every effort to secure greater integration of Israeli public servants in the U.N. system.

The CHAIRMAN. Now, this committee has had a great deal of focus and the chair has had a great deal of focus on the question of Iran and sanctions. You mentioned it in your remarks about we are stronger when we can multilateralize those sanctions and I agree with you, although often we take the lead and we get others to then join us in a multilateral effort. So sometimes leadership is important in order to bring others to a point where they may not be, but for American leadership.

As Iran continues, despite our best efforts, to march toward nuclear weapons capability, clearly the Senate does not always express itself unanimously. It has on this issue to continue our efforts to prevent Iran from becoming the next nuclear state.

How do you plan to use your position at the United Nations to build consensus for additional measures against Iran and how do you see bringing that continuing multilateral effort to the next stage? The clock is ticking. The centrifuges are spinning, and the window is increasingly closing for us.

Ms. POWER. Thank you, Senator, and thank you for all of your leadership on that issue.

Let me start by saying that the last 4 years have entailed a ramp-up of very significant pressure on Iran, including of the multilateral kind. And you are absolutely right that the foundation for our leadership is the domestic measures that we have put in place, which other countries have also replicated with their own national measures.

The Security Council passed a crippling resolution back in 2011 that I think has had a great effect. They are some of the most stringent sanctions that we have ever seen put in place in the multilateral system. And I was very much a part of that effort by virtue of my position as the President's U.N. advisor working with the team in New York.

I think there are a couple things that we need to think about going forward. First of all, given that we need to increase the pressure until Iran is willing to give up its nuclear weapons program, we should always be prepared to look at new measures and see whether further action of the Security Council is required.

In addition, the Panel of Experts, which is a very useful way of holding countries accountable—it is a body that holds countries accountable for their compliance with the sanctions regimen that exists already—has pointed out I think in its most recent report that there are a fair number of evasive tactics that are being used not only by Iran but by other members of the United Nations. So one of the things that we need to move forward on with haste—and again, the team in New York is already seeking to do this—is the Panel of Experts' recommendations as to how those loopholes can be closed and how those countries that are in deviance of sanctions can be called out and held accountable and, indeed, how those practices can stop.

The other thing I would draw attention to, of course, is the human rights situation in Iran. Again, over the last 4 years, we have had some success. The margin now in which the General Assembly Iran human rights resolution passes is larger than it ever has been I believe. We have also created the first-ever country-specific human rights rapporteur at the Human rights Council and that is for Iran. And that individual—I talked to Senator Kirk about this earlier this week—deserves our full support as the crisis that the Iranians are facing inside the country is extremely grave.

So what I can commit to you, sir, is to be maximally consultative with you and to hear any ideas you have about things that we could be doing within the U.N. system that we are not doing, ways we can shore up the sanctions regime that already exists, and any other additional measures we should be contemplating to try to increase the pressure on Iran because I agree wholeheartedly with your premise which is that there is a window, but the window will not stay open forever.

The CHAIRMAN. Finally, this committee acted in a bipartisan manner as it relates to Syria, and the conflict in Syria has killed over 100,000 Syrians, created 1.7 million refugees, millions more displaced inside of the country, a continuing, in my mind, tragedy of enormous proportions, probably one of the largest ones in the world right now if not the largest one in the world.

But we have seen Russia and China continue to obstruct action by the Security Council, so much so that your predecessor, Ambassador Rice, said that the council's inaction on Syria is a moral and strategic disgrace that history will judge harshly.

I assume you agree with that characterization, and how do you work to move the Security Council to a more vigorous role on Syria?

Ms. POWER. Thank you, Senator. I agree with you. It is one of the most critical issues facing us today, one of the most devastating cases of mass atrocity that I have ever seen. I do not know that I can recall a leader who has in a way written a new playbook for brutality in terms of the range of grotesque tactics that the Assad regime has employed in response to a democratic uprising.

What I will say is that the situation on the Security Council is incredibly frustrating. I described it as a disgrace that history would judge harshly in my opening statement, and I certainly agree with Ambassador Rice's claim that this is a moral and strategic disgrace in both respects.

What we have sought to do, as you know, is not simply rely on the Security Council, but to proceed with a multifaceted approach aimed at isolating the regime, bringing about the end of the regime, strengthening the opposition, et cetera.

We have worked through the General Assembly to signal just how isolated Syria is even as the Security Council remains paralyzed.

We have worked on the Human Rights Council to create a commission of inquiry to investigate the abuses because when the Assad regime falls—and it will fall—the individuals responsible for these atrocities will need to be held accountable and the evidentiary base needs to be built now.

And we have gone outside the United Nations, of course, to the Friends of Syrian People to coordinate the efforts of the likeminded.

I think we have to be clear-eyed about our prospects for bringing in the Russians, in particular, on board at the Security Council. I am not overly optimistic. By the same token, their interests also are imperiled with the rise of terrorism in the region with the use of chemical weapons. And we will continue forcefully, repeatedly, to make that argument to Russian officials and to engage them given the urgency and, again, the devastating human consequences of allowing this crisis to persist.

The CHAIRMAN. And one final point before I turn to Senator Corker.

Am I correct in that right now it is the turn of the United States to chair the Security Council?

Ms. POWER. We have the presidency of the Security Council in the month of July, which happens once every 15 months, yes, sir.

The CHAIRMAN. So right now, that presidency—the person who is sitting there is in an acting position.

Ms. POWER. It is a wonderful Foreign Service officer named Rosemary DiCarlo.

The CHAIRMAN. And I am sure she is wonderful, but it would be great to have the United States Ambassador to the United Nations sitting in that chair.

Senator Corker.

Senator CORKER. Thank you, Mr. Chairman.

And thank you again for being willing to serve. I enjoyed our meeting and our discussion about what a liberal interventionist is. I certainly, though, would like to drill down a little bit on the responsibility to protect.

First of all, you know, in following up on the Security Council discussion that just was had, do you believe that for us to take unilateral military action, that we need a U.N. Security Council approval to do so?

Ms. POWER. Sir, I believe the President always should act in the interests of the American people when U.S. national security is threatened and the Security Council is unwilling to authorize the use of force but the President believes that it is judicious to do so. Of course, that is something that he should be free to do.

Senator CORKER. That was brief. [Laughter.]

What exactly does the responsibility to protect mean to you?

Ms. POWER. Well, sir, as I mentioned in my opening statement, some of the foundational events in my life were—

Senator CORKER. I should not say “to you.” What does that mean to us? Knowing that you are going to be at the United Nations, you no doubt are going to be a force. I think anybody who has met you knows that that is going to be the case. But how will that affect our efforts? When is it that we should respond to atrocities? And what are the guidelines as to whether we do that unilaterally?

Ms. POWER. Thank you, sir.

I believe that the way the President has articulated this is very important, which is that the United States has a national interest, national security interest, and a moral responsibility to respond to cases of mass atrocity, when civilians are being murdered by their governments. That does not mean the United States should intervene militarily every time there is an injustice in the world. What the President has asked us to do and what I strongly support doing and am eager to do again, if confirmed by you, is to look at the tools in the toolbox, diplomatic, economic, arms embargos, radio jamming, expelling diplomats from various institutions, creating commissions of inquiry, et cetera, and maybe deploying peacekeepers, providing different forms of assistance. There are so many tools in the toolbox.

So I think the concept of the responsibility to protect, which is less important I think than U.S. practice and U.S. policy, which is that when civilians are being murdered by their governments or by nonstate actors, it is incumbent on us to look to see if there is something we might do in order to ameliorate the situation. And there is no one-size-fits-all solution. There is no algorithm, nor should there be. If I am confirmed to this position, I will act in the

interests of the American people and in accordance with our values. That is the formula.

Senator CORKER. And that action might take place under a U.N. resolution or it might take place unilaterally. Is that what you are saying?

Ms. POWER. If you are referring to the use of military force, the President needs to make judgments about when to use military force on the basis of U.S. national interests.

I think what we have found in history is that there are times where we have to work outside the Security Council because the Security Council does not come along, although Presidents have believed that it is in our national interest to act.

There are times when we find it beneficial, of course, to have Security Council authorization because then we tend to be able to get some buy-in on the back end, maybe get some assistance with peacekeeping or reconstruction assistance and so forth. There is no question that internationally a Security Council authorization is helpful, but from the standpoint of American interests, it is U.S. national security interests and the needs of the American people that are paramount.

Senator CORKER. Thank you so much.

We may have a scare about just the overall growth of the United Nations. I know that just in 2000, there was a \$2.5 billion budget. It is now up to \$5.4 billion. Some people have advocated a zero growth policy. I would like for you to speak to that and just whether you believe there are many, many duplicative programs there that are wasteful and should be looked at and streamlined.

Ms. POWER. Well, thank you, Senator. Again, as I said in my opening remarks, I completely share the spirit of your question. These are such tough times for so many people here at home that we have to be zealous in our scrutiny of every program and every initiative that the American people are helping to support through their generosity.

We have had, I think, significant success over the last 4 years on a U.N. reform agenda, building on some of the work done by our predecessors. We have found in the peacekeeping budget \$560 million to cut, and that is a very substantial amount when, as you say, the U.S. share of that budget is significant.

The cuts can come when we have found, in the case of peacekeeping, duplications where a peacekeeping mission in one place is staffed or serviced logistically by one base and in another mission there is another base supporting that peacekeeping mission. Those have now been consolidated, and that is where some of those savings have come.

The Security Council has closed down two peacekeeping missions over the course of the last 4 years, and that is a very important cost savings, again looking at the situation on the ground and making sure that closing down a mission is something that will not squander the gains that have already been made, but very cognizant of the tough budget times that we operate in.

We actually brought about the first budget reduction, I believe, in 50 years in the history of the United Nations. It is very important that we keep that sensitivity that I think we have inculcated in New York going forward.

And as you and I discussed, I believe, in your office, there are always countries who want to throw new programs onto the table. But what I will commit to you, as I said in my opening statement, is when I sit down, if confirmed, in New York with the team and to go over the landscape and be as aggressive as possible in seeking to deliver again on the generosity of the American people.

Senator CORKER. And that includes looking at other longstanding peacekeeping missions that may or may not be necessary.

Ms. POWER. Indeed. I think we already, looking out on the horizon, can see some that can be reduced in size and will be reduced in size, which should bring about some savings.

Senator CORKER. Richard Holbrooke was able to negotiate our share back in 2000, I think it was, at being 25 percent, and it got down to just a little under 26 percent I think in 2009. It is back up today to 28.4 percent. And I am just interested in your thoughts there and whether you would be willing to try to—I know there are lots of Holbrooke doctrines, but if this is one you would try to adopt.

Ms. POWER. Certainly, sir, I commit to you that I will do everything in my power to reduce the U.S. share of the peacekeeping budget. There are complicated formulas that are involved in that that we have inherited from our predecessors, but I will do everything in my power to address that.

I will say also again that the absolute size of the peacekeeping pie is critical to this as well. So in addition to dealing with our share, we have to bring down, if we can, the overall cost, and that becomes evermore challenging with al-Qaeda and other terrorist actors out there on the scene targeting the United Nations as they are because the cost of peacekeeping missions has gone up in light of the threat posed to U.N. workers, which we have seen cause very tragic consequences in recent years.

Senator CORKER. And briefly—I know we have to move on, but your view of expanding permanent seats on the Security Council—I know there has been some discussion there.

Ms. POWER. Thank you, sir.

The effectiveness of the Security Council is very important for U.S. interests, as I have described in my opening statement. I think any expansion of the membership of the United Nations Security Council should be one that both increases the representativeness of the council, which is what a lot of aspirants have emphasized, but also ensures the effectiveness of the council. And so it is not enough just to look to representativeness. We need to look at the degree to which the Security Council is going to maintain international peace and security. We do oppose, of course, giving up the veto.

Senator CORKER. Well, we have lots of people who come before us, some of which are more interesting than others. I have a feeling that you certainly are going to carve a path at the United Nations. I look forward to watching that. And I do appreciate the conversations we have had privately. I look forward to you carrying out in the same way that we have discussed things. I thank you for your willingness, and I certainly look forward to your service. OK?

Ms. POWER. Thank you so much, Senator.

The CHAIRMAN. Senator Shaheen.

Senator SHAHEEN. Thank you very much, Mr. Chairman.

Ms. Power, thank you so much for being here today and for your willingness to take on this very important role. I certainly intend to support your confirmation, and I hope the entire Senate does as well.

You had an interesting exchange with Chair Menendez about Iran sanctions. Obviously, one of the things that has changed recently in Iran is the election of their new President, Mr. Rohani. And I wonder if you think that offers an opening. He has indicated that it is his intention to improve relations with the United States. Do you think there is an opening there with the new President-elect? And how can we pursue that? And does the United Nations have a role in trying to move Mr. Rohani and Iran to resume negotiations with the P5+1?

Ms. POWER. Thank you, Senator, so much for raising that issue.

I would say first that whatever the public statements out of Iran, we have to remember the conditions that gave rise to that election or the conditions surrounding that election, which were the furthest thing from free, the furthest thing from fair. And I do not think anybody can say that the election in Iran represented the will of the Iranian people. I think we saw the will of the Iranian people reflected in the previous election and the democratic will of those people crushed. So that is point one.

Second, I would say that our policy, the administration's policy since I am not currently in the administration, is I think very much reflective of the views of people here in this body as well, which is verify, then trust, deeds not words. And again, we have a negotiation track. It is something that we want very much to succeed, and we recognize that we need to increase the pressure in order to increase its chances for success. And so we call upon the Iranians to engage that process substantively in a way that has not happened to date.

Senator SHAHEEN. And is there further action that could be taken at the United Nations that might help move the discussion in a positive way?

Ms. POWER. Again, to my exchange with Senator Menendez, I think we have to look at everything. This is so critical. This is so urgent. The clock is ticking. If there are steps that we can take in the Security Council, we should take them. And again, this is atop the list of urgent priorities in New York. But beyond that, I think it is probably best to get into the specifics in the event I am confirmed and can look at what is possible.

Senator SHAHEEN. You mentioned in your opening statement and you have written very eloquently about the tragedy in Bosnia. And we have seen, since those days, that Croatia has achieved EU membership. We are seeing some breakthroughs with Serbia and Kosovo. But Bosnia really seems to be stalled. And in talking to some of the folks who have been involved with efforts in Bosnia for a very long time, they have suggested that the structure that was set up as the result of the Dayton Accords has made things more difficult there to really achieve long-term resolution in the country for some of their challenges.

Can you speak to that and to what more we might be able to do to support efforts in Bosnia to move them toward EU integration and further into the West?

Ms. POWER. Thank you, Senator.

And as you know, yes, Bosnia is a country very close to my heart.

I think what I would say is that, first, it is important to put today's challenges in some context. The country is at peace, at relative peace. It is an inspiring tribute, I think, to American leadership when you travel to the country and see the cafes open and see the hills no longer a source of target practice for nationalists and extremists, but instead a source of beauty. And it is a remarkable country and it is a remarkably resilient people. So I think the United States can—especially, again, the Americans who supported U.S. leadership can feel some sense of satisfaction at what the United States and our allies have done in preventing what was one of the most horrific crises of the last half century.

Second, though, in terms of ethnic polarization, I agree completely with your characterization. I think it is extremely problematic when you go to central Bosnia and you see entrances for Croatian students on one side of the building and for Bosniac or Muslim students on the other side. I mean, how is that possible in 2013 in Europe?

With regard, I think, to the degree to which the Dayton structure is to blame versus the absence of political will in the leadership across Bosnia, I have not worked on that issue very much over the last 4 years. It is something I certainly would be eager to look at if I return to the administration. But I think starting with popular will, popular culture, doing away with the polarization as a matter of social norms is also something that needs to be done. And again, there are real efforts, an amazing set of contributions by the international community, and amazing leadership at the civil society level in Bosnia. But of the leadership, we just have not seen that commitment to multiethnicity that we need.

Senator SHAHEEN. Thank you.

Finally, there is a relatively new office at the United Nations that deals with women and empowering women around the world. I think one of the things that we have realized more in the last several decades is how important empowering women is to the success of communities and countries, and that when women have human rights and the opportunity to participate fully in a society, that communities and countries do better.

So I wonder if you will commit to doing everything you can to ensure that that office continues to operate in a way that continues to support women around the world and recognize the importance of the future legacy for that office.

Ms. POWER. Absolutely, Senator. I think President Bachelet did a remarkable job. As you know, we worked behind the scenes with the Secretary General in order to try to bring about that consolidation of all the efforts on women and girls across the U.N. system. We are very encouraged with its launch, but needless to say the stakes and the urgent needs in the real world are very high. So the more support we can give, the better. And I think U.N. Women is operating very well in tandem with some of our bilateral programming on these issues as well.

Thank you.

The CHAIRMAN. Senator Rubio.

Senator RUBIO. Thank you, Mr. Chairman.

Good morning, Ms. Power. Congratulations on your nomination. I know your family is proud of you.

As you recall from our meeting—and I highlighted this at the time and I am sure you are aware of it—one of the parts of any nomination is a nominee will be asked questions about previous statements that they have made and asked to clarify those. So I wanted to give you an opportunity to do that here this morning. I am not sure that time will permit to go through all of them, but I did want to go through a few. And I am sure you are familiar with them. You have been asked about them before.

So let me start by a 2002 interview where you advocated the use of a, “mammoth protection force,” to impose a solution to the Israel-Arab conflict saying external intervention was needed. Do you still hold that view and how would you place that in the context of today?

Ms. POWER. Thank you, Senator, and thanks for giving me an occasion to clarify in a very public setting my actual views.

I have disassociated myself from those comments many times. I gave a long, rambling, and very remarkably incoherent response to a hypothetical question that I should never have answered.

What I believe in terms of Middle East peace is I think what is obvious to all of us here which is peace can only come about through a negotiated solution. There is no shortcut. That is why Palestinian efforts at statehood—by the way, my daughter does not like that quote either, just for the record. [Laughter.]

Senator RUBIO. We have all been heckled.

The CHAIRMAN. And we have all answered hypothetical questions.

Ms. POWER. Thank you, sir.

Palestinian unilateral statehood efforts within the U.N. system—shortcuts of that nature just will not work. A negotiated settlement is the only course.

Senator RUBIO. OK.

Then in 2003 in an article, you recommended, “a historical reckoning with crimes committed, sponsored, or permitted by the United States.” Which crimes were you referring to, and which decisions taken by the current administration would you recommend for such a reckoning?

Ms. POWER. Thank you, Senator. And again, thank you for giving me occasion to respond to that.

I, as an immigrant to this country, think that this country is the greatest country on earth, as I know do you. I would never apologize for America. America is the light to the world. We have freedoms and opportunities here that people dream about abroad. I certainly did.

And with regard to that quote, one of the things that had moved me I had, as some have mentioned, written very critically—I guess Senator Isakson mentioned—written very critically about the Clinton administration’s response to the Rwanda genocide back in 1994, written in great detail about that. And President Clinton

himself, as you know, had come forward and expressed his regret that the United States did not do more in the face of the genocide.

When I traveled to Rwanda, however, having been very, very critical, I was stunned to see the degree to which Clinton's visit to Rwanda, his apology for not having done more, how it had resonated with Rwandans, how it had impacted their sense of the United States and the kind of regard the United States had for them. And it moved me and I probably very much overstated the case in that article.

But the point, I think, that I was trying to make is that sometimes we, as imperfect human beings, do things that we wish we had done a little bit differently, and sometimes it can be productive to engage in foreign publics—excuse me—engage with foreign citizenry in a productive dialogue. And I think that is what President Clinton did in the wake of the Rwandan genocide. It had a great effect. It really meant a great deal. And that is really all I was meaning.

Senator RUBIO. So I would categorize the Rwanda situation as a crime, the words you used, permitted by the United States.

Which ones did the United States commit or sponsor that you were referring to?

Ms. POWER. Again, sir, I think is the greatest country on earth. We have nothing to apologize for.

Senator RUBIO. So you do not have any in mind now that we have committed or sponsored?

Ms. POWER. I will not apologize for America. I will stand very proudly, if confirmed, behind the U.S. placard.

Senator RUBIO. No, I understand. But do you believe the United States has committed or sponsored crimes?

Ms. POWER. I believe the United States is the greatest country on earth. I really do.

Senator RUBIO. So your answer to whether we have committed or sponsored crimes is that the United States is the greatest country on earth.

Ms. POWER. The United States is the leader in human rights. It is the leader in human dignity. As you know, one of the things that makes us so formidable as a leader on human rights is that when we make mistakes—and mistakes happen, for instance, in the case of Abu Ghraib in Iraq. Nobody is proud of that. Virtually every American soldier operating in the world is operating with profound honor and dignity. We hold people accountable. That is what we do because we believe in human rights. We believe in international humanitarian law and we observe those laws. We are, again unlike any other country, a country that stands by our principles.

Senator RUBIO. What is the reckoning you referred to? What would you consider reckoning for those instances that you have just highlighted for example?

Ms. POWER. I think when any of us who have the privilege of serving in public office deviate in any way, we have procedures in order to be held accountable—deviate any way from our own laws, regulations, standards.

Senator RUBIO. I understand, but that is true of the individuals that committed those acts. What about the country? Because your quote was about the United States committed or sponsored a crime.

What reckoning does the country have to face in response to acts committed by individuals of that nature? Because certainly that was not the command they had received.

Ms. POWER. Again, sir, I mean, I gave the Rwanda example. I think sometimes we see in the course of battle—unlike most militaries around the world, we put every target every choice through the most vigorous scrutiny, and occasionally there is collateral damage even after all of that energetic effort. And in those cases, we engage with foreign publics. That can be done at a national level. That can be done at a local level. I think there are various ways one can go about—

Senator RUBIO. My time is about to expire, so two very quick questions.

One is given an opportunity to restate what you wrote in that 2003 article, it sounds like you would state it differently.

Ms. POWER. Indeed, sir, I would absolutely—

Senator RUBIO. So let me bring you to a more recent one. In a 2008 op-ed, you described the Bush administration's concern about Iran as a, "imagined crisis." And you said that, "redundant reminders that military force is still on the table," strengthen the regime.

Do you still hold the views that you held in 2008 with regard to Iran? Is it still an imagined crisis? And do you believe that reminders that military force is still on the table strengthen the Iranian regime?

Ms. POWER. Thank you, sir. I have never referred to Iran's pursuit of a nuclear weapon as an imagined crisis. Ever. What I have long argued is that it is important both to have a pressure track and a negotiation track. And as we have discussed here today, it is essential to kick up the pressure, to tighten the vice. That is what the sanctions that I worked on over the course of the last 4 years have done. That is what we need to do in terms of, again, closing loopholes that have been established by the Iranian regime. So, of course, part of pressure is making very clear that military force is on the table.

With respect to that article, I was stressing the importance of also having a negotiation track so that if the pressure could be intensified, there was an off-ramp so that Iran could, in fact, give up its nuclear weapon, if they ever chose to do so.

The CHAIRMAN. Thank you.

Senator Murphy.

Senator MURPHY. Thank you, Mr. Chairman.

Welcome, Ms. Power.

The cold war is over and yet we have seen specifically most recently with respect to our deliberations internationally over Syria, that the juxtaposition between the United States and Russia can effectively cripple deliberations of the United Nations. Our relationship with them is obviously incredibly complex. Lots of good news in the last decade: cooperation on arms control, cooperation on antiterrorism efforts, willingness to work together on Afghanistan that was maybe unexpected at the beginning of that conflict. And yet, during that time, we have seen a very rapid downward slide in terms of the status of civil society in Russia.

And so without asking you to explain how you are going to essentially negotiate every different political issue with Russia, I would

love for you to talk for a minute about what the role of the Permanent Representative is to continue to raise these issues of civil society and issues of human rights abuses in Russia knowing, as we heard at a hearing not long ago, that the State Department is preparing, as they told us, to send forward another set of names to be added to the Magnitsky Act which is going to further complicate relationships with Russia but also give us a renewed platform to raise some of these issues.

So the administration is always in a difficult position because there are all sorts of important proactive work to do, which sometimes makes it difficult for them to try to raise issues of human rights. You will be in the same position whereby you will be trying to get them to the table on things that we care about, which may potentially compromise your ability to call them to the table on the way in which they are treating political opposition there.

So talk to me about how you strike that balance.

Ms. POWER. Senator, thank you so much. It is, of course, one of the most important relationships that has to be managed in New York, and we have a whole range of interests, as you have indicated, that flow through Moscow.

I think the challenge is to maintain—to stand up for U.S. interests and to stand up for U.S. values. I mean, it is a sort of simple formula. Sometimes our interests, of course, necessitate cooperation, as you have again alluded to, supplying our troops in Afghanistan, the North Korean and Iran sanctions regimes where Russia has stepped up and supported multilateral sanctions that are critical in our larger effort. These are examples where we have found a way to work with Russia.

But we can never be silent in the face of a crackdown on civil society, something I mentioned in my opening remarks today. We can never be silent—to get to an exchange I know Senator McCain had earlier in the week or last week, we can never be silent when the Russian Government sentences Sergei Magnitsky or convicts him of a crime rather than looking into those who are responsible for his death. I mean, we have to use the pulpit. We have to use the platform. We have to recognize that when the placard says “The United States,” people around the world, including across Russian civil society, are looking to the United States for leadership.

And I do think we can do both at once. I think it is extremely challenging, and there is no question that threading that needle and making sure that you do not sort of silence yourself and silence the values of your nation in the service of your short-term needs—it is a big challenge. Every diplomat has, I think, faced it. But I think our greatest ambassadors in New York are remembered for how they stood up for our values.

Senator MURPHY. I do not want to steal Senator McCain’s thunder on this issue. He has been a hero. But we are at a fulcrum point, and the problem is not only the very quick downward slide in Russia. It is that their neighbors are watching them and we are confronting many of the same issues, whether it be in the Ukraine, Belarus, Azerbaijan. And when the United States does not stand up at the United Nations to Russia, then that is a signal to them

that we may allow for them to engage in that same kind of behavior.

Quickly to turn to the issue of climate change, a really wonderful new initiative at the United Nations surrounding the issue of short-lived climate pollutants and fast-acting climate pollutants, specifically working with other nations to try to engage in best practices for the capture of methane coming out of landfills to work, as the United Nations has been doing for years, on building a new type of cook stove to downgrade the amount of black carbon escaping into the atmosphere—there is technology and best practices out there today with respect to noncarbon dioxide emissions. We are going to have a big fight over a new international global warming treaty, but there are some relatively simple things that you can do when it comes to just managing landfills better or trying to get \$15 cook stoves into the hands of more Indians and Chinese.

I think the answer to my question as to whether you are going to continue to help lead on this issue is probably self-evident, but this potentially allows for some of the quickest gains in the interim between now and when we ultimately get an operative global warming agreement in 2020. And you can play an incredibly important role in trying to move forward the work of the United Nations to engage in voluntary measures with member countries to try to engage in best practices as to decreasing the release of short-lived common pollutants, and we would love to see your leadership on that.

Ms. POWER. Thank you, sir. You will have it.

Senator MURPHY. Thank you.

Thank you very much, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator Johnson.

Senator JOHNSON. Thank you, Mr. Chairman.

Ms. Power, welcome. Like Senator Corker, I certainly enjoyed our conversation. It was very interesting. I think you will be a force.

I also want to thank you for your willingness to serve. You have got a young family. It will be a sacrifice. So we truly do appreciate it.

I also recognize you are a pretty prolific writer. I did compare notes. I actually had another 2003 article which I found very interesting. There are a number of interesting comments you make in that. And I do have to ask you some questions. And I realize your thoughts can certainly change over time, but there are certainly some quotes here that do disturb me.

Kind of going back to what we talked about in our office, I was very disappointed in President Obama early in his term going around the country on, you know, basically what has been called as an apology tour. I do not believe that is helpful. You are saying you will never apologize for America now. That is good.

But back in this article, this was full force in the New Republic, March 3, 2003. You said a country has to look back before it can move forward. Instituting a doctrine of *mea culpa* would enhance our credibility by showing that American decisionmakers do not endorse the sins of the predecessors.

Kind of going back to what Senator Rubio was talking about, which sins are you talking about there? And do you think President Obama's apology tour was well advised? Did that work very well?

Ms. POWER. Thank you, Senator. I do not know if it is good news, but the quote that Senator Rubio was referring to is the same quote as this. So my response is similar.

But let me start just by saying what I should have said perhaps at the beginning before, which is I have written probably 2 million words in my career, a million, 2 million. I have certainly lost track. Only my husband, Cass Sunstein, has—well, there are others perhaps who have written more, but Cass has left most of humanity in the dust in terms of prolificness.

There are things that I have written that I would write very differently today, and that is one of them, particularly having served in the executive branch—

Senator JOHNSON. Move forward in terms of President Obama's apology tour, the reset with Russia. I mean, has that worked? Was that a good strategy for us to go across the world and actually provide that mea culpa? Do you think that was good or bad? Did it work or did not work?

Ms. POWER. I am not sure exactly to what you are—are you talking about the reset?

Senator JOHNSON. We can talk about reset, sure.

Ms. POWER. So the reset, again, is I think something that has yielded a very complex set of consequences. In some respects such as Syria, the reset has not produced the kind of dividend that we seek in New York and with devastating consequences again for the people of Syria.

On shipping supplies and reinforcing our troops in Afghanistan, the fact that we have a channel of dialogue and cooperation with Russia has produced results.

Honestly, the sanctions imposed against Iran back in 2011, the sanctions resolutions we have imposed even recently on North Korea—they come about in part because the bilateral relationship is strong, at least strong enough to allow us to agree on issues of shared interests.

There is also a lot, which I did not mention in response to Senator Murphy, that goes unseen. And again, none of this takes away from the crackdown on civil society, takes away from Snowden and his presence in Moscow, takes away from Magnitsky, takes away again from Syria. But there are things that happen on the Security Council, for instance, Russian support for robust peacekeeping action in Ivory Coast, Russian support for the South Sudan referendum going off on time, which was a major mass atrocity averted. So we work with them where we can get them to see that their interests align with ours and that their interests align with maintaining international peace and security.

Senator JOHNSON. You had mentioned earlier that Assad will fall. I think we have heard that in the past where it is not a matter of "if" but "when." It seems like he is getting more entrenched, and I am not quite so sure. Do you believe there was a point in time, had we shown leadership, that we could have tipped the scales and

he could have already fallen by now? Have we missed opportunities?

Ms. POWER. Thank you, sir.

Look, I think the situation on the ground right now is very worrying for a whole host of reasons. First, the military gains that the Assad regime has made lately; second, the fact of chemical weapons use in recent months; third, something you and I talked about I believe, the growth of the extremist presence within the opposition, et cetera. So I think nobody is satisfied with where we are today. I know the President is not. And the administration is constantly examining and reexamining how it can heighten the pressure on Assad so as to hasten that day that he departs.

I guess to come back to my comment where, given some of the facts on the ground right now, how I could say something of that nature, just again I think history shows that regimes that brutalize their own people in that manner, that totally forfeit their legitimacy, that do not abide by even basic norms of human decency—they just do not have the support to sustain themselves. So the day of reckoning will come. I agree certainly, wholeheartedly with your concern that the day is not coming soon enough.

Senator JOHNSON. Obviously he is going to fall because we are all mortal.

Getting back to that article, the final concluding paragraph, embedding U.S. power in an international system and demonstrating humility would be painful, unnatural steps for any empire, never mind the most important empire in the history of mankind, but more pain now will mean far less pain later.

Do you believe America is an empire?

Ms. POWER. I believe that we are a great and strong and powerful country and the most powerful country in the history of the world, also the most inspirational. Again, that is probably not a word choice that I would use today having served—

Senator JOHNSON. Fair enough.

Besides giving up a pinch of sovereignty will not deprive the United States of the tremendous military and economic leverage it has at its disposal in the last resort. So you are basically recommending that we give up a pinch of sovereignty. Is that still your view?

Ms. POWER. One of the things that I would do every day, if confirmed for this position, is defend U.S. sovereignty. I think nothing that I have supported the last 4 years would ever have that effect of giving up U.S. sovereignty. It is nonnegotiable.

Senator JOHNSON. So your thinking has changed on that then.

Ms. POWER. Again, serving in the executive branch is very different than sounding off from an academic perch. Yes.

Senator JOHNSON. Good. I appreciate your answers. Thank you.

Ms. POWER. Thank you, sir.

The CHAIRMAN. Senator Kaine.

Senator KAINE. Welcome, Ms. Power, and congratulations. I look forward to working together. You have the ideal intellectual and values credentials for this position. When I heard of the appointment, though, my first reaction was, wow, she is pretty blunt and outspoken. I do not think blunt and outspoken is actually usually a great qualification for a diplomatic post, but actually for this one,

it is because my experience with the United Nations is it is vague and amorphous, and then you translate vague and amorphous into six languages. [Laughter.]

And I think the United Nations could use a lot more blunt and outspoken, and I think that is part of the reason why you are going to do a very good job in that position.

I visited the United Nations recently and spent a day with Ambassador Rice, and I would encourage any Member of the Senate to do it. To go to a Security Council meeting even on a topic that may not be the one that you are most passionate about is instructive, and you immediately sense some of the dynamics, some of the good, some of the bad.

One of the things that I really came away with from that visit, even seeing good and bad, was a real pride, a pride in this country for having been such a key part in creating the institution. You know, it was an American President who had the visionary idea in the aftermath of World War I to try to create something like it in the League of Nations, and neither the American public nor Congress or really the world embraced the idea.

But America would not let the dream die. And in the closing days of World War II, President Roosevelt and his advisors planned it. President Roosevelt did not get to see it. He died before the San Francisco conference.

President Truman had two decisions to make in his first two days in office, first, whether to keep the Roosevelt Cabinet—and he decided to do it—and second, when he was asked if we should cancel or postpone the San Francisco meeting that was going to happen within weeks of President Roosevelt's death, he decided that we needed to carry it forward.

And so for all the frustrations of the United Nations—and there are many, and I am going to ask you about my chief one in a second. But for all the frustrations, it was the United States that would not let the dream of an international institution of this type die. It was birthed here. We have nursed it along. We have funded it. We have kept it going. We have hoped for its improvement. We battled for its improvement. And of the many things to be proud about about this country, the United Nations I think is one. And yet, there are a lot of frustrations.

I was in Israel in April 2009. I was at Yad Vashem, at Yom HaShoah, as a guest of Prime Minister Netanyahu. And at the very moment we were there, the United Nations had convened an antiracism conference, Durban II, in Geneva, and it invited President Ahmadinejad to be one of the keynote speakers. Now, the United States, this administration boycotted that conference in Geneva, encouraged other nations to boycott it as well. Many other nations did. Some others attended and then walked out during Ahmadinejad's speech.

But I think one of the things that we wrestle with here and I think the American public wrestles with, too, is the psychology within an institution that was so critical to the formation of the State of Israel, to the beginning of the State of Israel. Explain, because you have been involved with the institution, the psychology that puts Israel on the permanent agenda to talk about human rights when North Korea is not, when so many other nations are

not. Israel is not perfect, but neither is the United States and neither is any of the member nations of the United Nations. You can be frustrated about the lack of pace toward a two-state solution, but we can think of frustrations about any nation that is a member of the United Nations.

I think the single thing that is the hardest for American citizens to grapple with is the continual drumbeat out of the United Nations that is hostile to the nation of Israel and it seems to hold Israel to a standard that is different than other nations that ought to also have their time under the microscope in terms of the analysis of their flaws and the recommendations for improving those flaws.

So with your experience in the institution and in working in these areas, I would love for you just to explain to us what is it about the psychology of the body that makes Israel the perennial punching bag at the United Nations.

Ms. POWER. Thank you so much, Senator.

The constant delegitimation of Israel across the U.N. system, as I indicated in my opening remarks, is a source of almost indescribable concern to me and to this administration. As the President's U.N. advisor the last 4 years, working with the team in New York, our team in Geneva and elsewhere, we pushed day in/day out to contest this kind of delegitimation.

In terms of the psychology, what I will say is that fewer than half of the countries within the United Nations are democratic. When you are not democratic, it helps to have a diversion. It helps to scapegoat other countries. And I think that is part of the psychology, is just having sort of a reliable way of changing the subject, and that is what these countries have done over so many years.

We have contested this, again, day in/day out. I spearheaded the decision not to participate in Durban II, because it reaffirmed Durban I which was so problematic. We stood up against the Goldstone Report, against attempts to politicize and judge Israel over the flotilla incident in the Human Rights Council which, as you know, we have joined in part to be within that institution to stand up for Israel. We have succeeded in cutting down the number of special sessions, cutting down the number of country-specific resolutions. But given, again, what I said at the start, the fact that there is a standing agenda item for one country—and that is Israel—and not for Cuba and not for North Korea and not for Iran just reflects a lack of seriousness and just how political and politicized this has become and unfair this has become.

Senator Kaine. I do not have another question, but I will just conclude, Mr. Chair, by saying I think the blunt and outspoken part of you will really be pressed in the service in this job. And I think the best ambassadors that we have had have been willing to do that, and it is issues like this double standard with respect to Israel that really demand very blunt and outspoken American leadership. And I wish you well.

Ms. POWER. Thank you, sir.

The CHAIRMAN. Senator Flake.

Senator FLAKE. Thank you, Mr. Chairman.

Thank you for the answers so far. I appreciate you coming by my office and the discussion. It was nice to discover we have a mutual interest and time spent in Zimbabwe and writing on the subject too. And thanks for sending those articles.

With regard to the United Nations, our law requires that we compile a list, an analysis of who votes with us and who votes against us, and it is sometimes frustrating to see so many countries where we play a vital role, in terms of aid and development and in their economy and see them just continually go against us. It sometimes seems in the General Assembly, if it were not for Israel, Palau, and the Marshall Islands, we would not have any friends. But in fact, I think 131 countries in the United Nations vote against the U.S. position more than 50 percent of the time. In the 2012 General Assembly, there were about eight resolutions that went before the General Assembly that were deemed important by the State Department, and countries voting with us—just about 34 percent of them voted with our position.

How can we change that culture? What can we do to better that situation?

You and I have seen situations—just take the country of Namibia where the General Assembly had long declared just one of the parties as the sole and authentic representative of the Namibian people, which was highly detrimental I think for a number of years and forestalled negotiations that should have happened. But then the Security Council came in with a resolution that actually paved the way for Namibian independence and played a vital role and a good role. And so we see both within the same institution, just the difference between the General assembly and the Security Council.

How can we in the General Assembly have a better situation where countries recognize that we are friendlier than we seem I guess?

Ms. POWER. Thank you, Senator.

This issue of voting divergence is critical. It has been acutely frustrating. I will say if you could look at the charts that show the trend lines, we are trending more positively than you would expect. I would say in the General assembly—

Senator FLAKE. It is a pretty low base, but yes.

Ms. POWER. It is a low base. It is. I very much agree with that.

I do not think the convergence rate is trending positively in the General Assembly on Israel, however. And again, that is something that we have to fight every day to try to change.

But with regard to other countries, it is acutely frustrating. I mean, some of it relates to my response to Senator Kaine's question, which is standing up to the United States can be a cheap and easy political win for a small country to show that they are not with us. But again and again, we see them voting against their interests. And in the case of those countries that are democratic, either fully free or partly free, we see them acting in defiance of the values that they are most proud of in their own countries. And that is the conversation I have certainly sought to have over the last 4 years with countries who vote en masse as part of regional groupings reflexively rather than thoughtfully. And again, we are nibbling away at it.

But it is an urgent priority for any incoming official in New York. And if I am confirmed, getting countries to vote their interests and their values, getting them to see the importance of maintaining international peace and security, doing that has huge consequences for the United States, but it has huge consequences for these countries as well. Taking advantage of the fact that a lot of countries, including several important African countries, are involved in U.N. peacekeeping, to get their countries engaged in the politics in the countries where their troops and their police are deployed—so there are just a lot of disconnects I think between at least what we would perceive as beneficial for those countries and, as you suggest, how they have performed on various votes. And we just have to keep fighting every day and be aggressive in our pursuit of convergence, not divergence.

Senator FLAKE. On that last point, with Zimbabwe, a country that we are both very interested in, elections are scheduled July 31, likely too soon to have any real prospect of free and fair elections or elections that mean anything. Can you foresee a role for the United Nations, a broader role than is currently planned, in that situation?

Ms. POWER. Thank you, Senator.

I mean, that is certainly something we should look to. It has been very difficult for the United States, very difficult for United Nations programs that Zimbabwe most needs, for instance, a human rights office, development assistance that is spread equally across the country irrespective of the politics of the recipients, et cetera, the kinds of standards we would want to see as part of our assistance with the Mugabe regime, just almost impossible to operate in that environment.

And so I think the hope would be that in the wake of the election and certainly with the passage of authority to new leadership, that there is an opening to have a conversation about what an impactful U.N. presence would look like and how it could contribute to what has to happen in Zimbabwe, which is a meaningful transition to democracy.

And I would note—and I know you are more familiar with this than I am—but the civil society in Zimbabwe is unbelievable. I mean, just they keep slogging along and battling it out, going to court, getting released from court, going on hunger strike, going again and again back at the regime, refusing to accept that Zimbabwe cannot achieve its promise. And again, I think the United States has a critical role. They look to us for leadership. They have some friends in the U.N. system, but they are now outliers. You know, friends like Cuba and Iran, et cetera are not credible.

So given that there is a moment of opportunity potentially upon us, I think we have to look at what programming could be helpful.

Senator FLAKE. Thank you.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator McCain.

Senator MCCAIN. Thank you, Mr. Chairman.

Welcome and thank you for your continued service and advocacy on behalf of human rights. I am glad you are able to correct the

record on some of your past statements. Speaking for myself and my colleagues, I have never said anything that I later regretted or wanted to correct in the record. [Laughter.]

And I note your young son there. He has a future in the diplomatic corps if he has been able to sit quietly through this ordeal. I congratulate you on this. There he is.

In your testimony, you called the failure of the U.N. Security Council—failure to respond in Syria a disgrace that history will judge harshly. Do you think that the Security Council will ever authorize an international military intervention in Syria certainly in the foreseeable future?

Ms. POWER. Thank you, Senator, and thank you for all that you have done for me and my family. Thank you for all you have done for Syria.

Right now, the fact that the Security Council has not managed even to pass a condemnatory resolution, never mind economic sanctions, to this point not even anything on chemical weapons use, I think we could start there in terms of where we would seek to move the Russians. The Russian position, as you know—

Senator MCCAIN. I got you. I have got about three or four questions.

Ms. POWER. Oh, please. Go ahead.

Senator MCCAIN. Go ahead. The answer is I think is not likely in the near future.

Ms. POWER. That is probably better put.

Senator MCCAIN. Is that correct?

I was struck by an article by Anne Marie Slaughter in a piece she published in the Financial Times that said that the article 52 of the U.N. Charter could serve as a basis for international action in Syria in the event that regional organizations like NATO and the Arab League notify the Security Council of their actions as required by article 54, but not necessarily seek approval. Do you believe that article 52 of the U.N. Charter could serve as a basis for international military intervention in Syria by regional organizations?

Ms. POWER. Well, Senator, as you know, the President's policy is to focus on all forms of assistance to the opposition to build up the opposition. In terms of the legal rationales, that is not something I feel equipped to weigh in on.

Senator MCCAIN. I hope you will look at that because that is specifically under your area, article 52 of the U.N. Charter, because I think with 100,000 people massacred, we are going to have to look at every option that we possibly can.

Senator Lindsey Graham, with the help of our chairman and ranking member, has passed a couple of authorizations concerning Iran. He has now authored, with a large number of us, a resolution by the Senate or Congress that would authorize the use of force on Iran if the Iranian nuclear progress reached a point that the President has described as unacceptable.

What do you think about that?

Ms. POWER. Well, sir, as somebody aspiring to go back into the executive branch, it may not surprise you that I would want to ensure that the President had the flexibility that he needed to make a judgment that he thought best on behalf of the American people.

Senator MCCAIN. Well, it authorizes him to use force. In fact, it gives him flexibility.

Ms. POWER. Having not studied the authorization, I probably should not comment.

Senator MCCAIN. I think it is very important because I do not think there is anyone who would argue that the Iranians have proceeded undeterred from their pursuit of the ability to acquire and use nuclear weapons. I think you would agree with that. Which means that matters are probably going to come to a head, at least in the view of some experts, within 6 months to a year. You would agree.

Ms. POWER. That is certainly what our assessments have shown.

Senator MCCAIN. Everybody has for you the cheapest commodity in this town, and that is advice. So I will not exempt myself from that privilege.

I have known and admired many men and women who have served as our Ambassador to the United Nations, and I agree that it is a very important position. The one I admire most is a woman named Jeane Kirkpatrick. I hope you will look at her record of service in the United Nations. She spoke truth to power. She took on the vested interests. She argued for budgetary restraint. She spoke up for the United States of America in a way that I think still many of us admire her and we revere her memory. So when you look at the record of your predecessors, as I have looked at my predecessors in the United States Senate, I hope you will be instructed to some degree by her performance which I think made all Americans who had a very poor opinion of the United Nations very proud of the role she played speaking for them in the United Nations.

Ms. POWER. Absolutely, sir. I actually got to know her a little bit as an intern in this town in the early 1990s when she was a forceful advocate on Bosnia long after her service in New York and absolutely will study her legacy.

Senator MCCAIN. Well, I hope you will continue the work you have done in speaking up for human rights. We are about to see a Middle East that is already imploding. You may be faced with issues before the United Nations and the Security Council, the likes of which we have not seen. So I know that you will preserve your fundamental beliefs in the supremacy of the role of the United States in the world and our advocacy for the freedoms that are so important to all of us. So I look forward to having you go to work as soon as possible.

Thank you, Mr. Chairman.

The CHAIRMAN. Senator Risch.

Senator RISCH. Thank you, Mr. Chairman.

Ms. Power, first of all, your work in Idaho has not gone unnoticed, and we thank you for that. It is greatly appreciated.

Thank you for coming to see me, and you and I talked about a number of things. One of the things I am concerned about is one of the matters that Senator Corker raised, and that is reform at the United Nations.

People in America are not happy with the growth and particularly with what seems to be this expanding reach. The United Nations plays an important role when it comes to peacekeeping, when

it comes to nations being able to sit down and resolve their differences. But this continued growth and this continued reach in the areas that really are the sovereign concern of an individual nation bothers me and I think it bothers a lot of Americans.

What are your thoughts on that?

Ms. POWER. May I ask you to be more specific? If not peacekeeping, what do you have in mind in terms of—

Senator RISCH. Well, I am talking about just the continued growth of the size of it and its reach into areas. I have one particular item in mind but I am not going to raise it as it would probably divide the panel as we talk here. But this continual arena in the matters that are sovereign concerns of individual nations is concerning.

Ms. POWER. OK. Well, let me, if I could, address maybe two dimensions of that, one, the growth, and then second, maybe U.N. treaties which tend to raise sovereignty concerns—

Senator RISCH. Always.

Ms. POWER [continuing]. Particularly in this body, yes.

So in terms of the size, you mentioned peacekeeping, and I appreciate your recognition and we discussed this in our meeting as well that peacekeeping can perform an important service. Mali is a great example today of a mission that 3 years ago, if you had said in 2013, are we going to have a peacekeeping mission in Mali, we would have said Mali—why peacekeeping there at that time? And yet, in the wake of the French intervention, we cannot afford to squander the gains that have been made and to allow al-Qaeda to regain a foothold in that country. And again, the peacekeepers are not going to be challenging al-Qaeda but they are going to be strengthening the Malian Armed Forces who, hopefully, then will have occasion or will be in a strong position to hold off any further resurgence. So that is just one example of something that sort of comes onto our plate because the world demands it.

The Iraq and Afghanistan missions are much bigger now than they were 5 years ago—the U.N. missions, that is, political missions. And of course, it is in our interest to see those missions do important work particularly in the wake of our withdrawal from Iraq and as we draw down from Afghanistan. The last thing we want to see after all of the sacrifices that Americans have made is those gains in terms of political reforms and political transition and the road to democracy—those gains squandered.

So, you know, that is the good side of the growth.

Senator RISCH. Let me ask a little more—

Ms. POWER. Pardon me. Okay.

Senator RISCH. Have you been an advocate for any areas for the United Nations to expand into that they are not already into? I do not mean geographical areas. I mean just issue concerns. Is their reach broad enough, I guess, is what I am asking.

Ms. POWER. There are two issues. One is are there places the United Nations should go where they have not gone. Nothing is coming to mind.

Senator RISCH. I am not talking about places.

Ms. POWER. No, no, no. Sorry. I meant thematic areas.

The United Nations touches so many social and economic developments, peace, and security issues, but there is plenty. And I

would cite corruption as one where there is a U.N. Convention on Corruption, but the modalities of actually tackling corruption in countries around the world are not as strong as I think they could be. And so there is an example where there is reach, but not necessarily substance or sufficient substance. And so those are the kinds of gaps.

So there are two forms of cuts that one would seek. One is, is there just extraneous stuff being done that was started 50 years ago for one reason and persists today for no good reason? That, of course, we would need to—or even if it started 10 years ago or 5 years ago. And that is where we draw down peacekeeping missions when the original motivation for those peacekeeping missions has gone away or has been addressed. And then beyond shrinkage are the things the United Nations is doing that it should be doing but that it is not doing well, where we increase effectiveness and not just efficiencies. And so I think both have to be an area of emphasis.

But my message to you, you know, which I hope I have expressed forcefully, is that the American people are making cuts. This Congress and this President are negotiating how to get our fiscal house in order. It is not tenable for the United Nations to exist immune from that conversation. I do not think it has in the sense that I think the administration has really pushed it to tighten its belt, and I think that is where we found more than half a billion dollars in savings in peacekeeping just in the last year.

Senator RISCH. Let me touch on just a couple other things.

Ms. POWER. Please.

Senator RISCH. Because my time is running out here.

First of all, as Senator McCain said, advice is rampant in this town, and I want to give you mine. I hope, as you go to the United Nations, you will take the view that America is unique and exceptional, and we are a unique and exceptional people. We need to hold our heads high. We need to be proud. We need to not apologize for things that we do. We are leaders in this world. We need to be leaders in this world, and I certainly hope that when you go to the United Nations, you will convey that to them that we are a proud people and we do good things. And if you look around the world, the world would not be what it is today without the leadership of America when it comes to quality of life or anything else.

Finally, let me say one of my concerns, as we talked about, is Israel. There is a lot of us. In fact, Senator Rubio yesterday or today dropped a bill on the United Nations Transparency, Accountability, and Reform Act. I do not know if you are familiar with that or not. A number of us are cosponsors of that bill. And it has some really good reform provisions in it, and particularly one of the several provisions has to do with withholding the United States contributions to any U.N. entity that grants full membership to the Palestinian Authority. As you know, there has been a push to do that in some of the operations of the United Nations to include the Palestinian Authority in the absence of a negotiated peace settlement with Israel. We want to see that. I am sure you want to see that. Everyone wants to see that. One of the ways I think we need to do that is to insist that the United States withhold contributions

to any U.N. entity that would grant full membership to the Palestinian Authority.

Do you have any thoughts on that?

Ms. POWER. Thank you, sir.

First, on your first point on advice, I have spent my whole career standing up for American values.

Senator RISCH. Thank you.

Ms. POWER. And I will not apologize for America. American leadership is the light to the world. I could not agree more.

Second, we need to deter the Palestinians in any way we can, and we need to get their attention. They have held off but, as you know, they have made clear their previous intention to join various U.N. agencies in the wake of the General Assembly vote last fall.

The one caution I would issue—and again, we are completely aligned on preventing the Palestinians from seeking unilateral actions at the United Nations. The one caution is that when we are out of U.N. agencies, which would be the consequence ultimately of defunding U.N. agencies, we cannot stand up for Israel, we cannot stand up for American values, we are not there leading on a range of other U.S. interests. And so I just think we have to find the right balance.

Senator RISCH. That is the decision the agency has got to make if it goes ahead with that kind of proposal. And I think we ought to put them in that position where if they are going to make that judgment, they are going to live with the consequences of it.

So thank you for your thoughts on that. Thank you for your candor on that.

My time is up. Thank you, Mr. Chairman.

The CHAIRMAN. Senator Barrasso.

Senator BARRASSO. Thank you, Mr. Chairman.

I would like to follow up a little bit of what Senator Risch has talked about.

First, congratulations to you and to your family, and I appreciate you coming by to visit on issues.

I want to talk about the U.S. Arms Trade Treaty. When Secretary Kerry came before this committee in January of this year, I asked him during his confirmation process if he would support any treaty that allows the United Nations to establish and maintain a gun registry on law-abiding U.S. gunowners. He stated in writing that we will not support a treaty that impacts domestic arms transfers or creates a U.N. gun registry.

I have that U.N. Arms Trade Treaty here, and article 12 is called “Recordkeeping.” It encourages countries to maintain records on the importation of conventional arms, including small arms. It specifically requests that the states maintain records on the quantity, the value, the model, the type, and the end user. These records, it says, must be maintained for a minimum of 10 years.

Article 13, titled “Reporting”—that requires signatory states to issue annual reports to the United Nations on all imports and exports.

So the question I have is, Do you believe that this framework could lead to a U.N. gun registry?

Ms. POWER. Thank you, Senator.

Let me start just by saying again that we in this administration and certainly I, if I have the privilege of going to New York, would never do anything that would infringe on U.S. sovereignty or that would interfere in any way with American law. Second Amendment rights are paramount. American law is paramount. The Constitution is paramount.

Again, in terms of what the U.N.'s designs are in taking that treaty forward, I am not myself familiar with those. I think what is important is that Secretary Kerry has given you the assurance that nothing the administration put forward with regard to that treaty would ever contemplate a gun registry in this country or our participation in a gun registry. So I think that the key point is, irrespective of the provisions that you have pointed to, the United States, in dealing with this body in any future engagement on the Arms Trade Treaty, would never, again, allow anything in that treaty to interfere with American law or American practice.

Senator BARRASSO. So the simple question would be, Do you support the United Nations in establishing and maintaining a gun registry on law-abiding U.S. gunowners?

Ms. POWER. No.

Senator BARRASSO. The answer is no. Thank you.

Following up on also what some other members have asked about in terms of U.N. budget, reporting to Congress, in 2009–2010, the Office of Management and Budget provided Congress with a list of total U.S. contributions to the United Nations from the State Department, as well as 18 other U.S. departments and agencies. And I believe this information is valuable for all citizens. I think it is important for everyone to understand how the United States is spending taxpayer money at the United Nations. I do not want to quiz you on the specifics of the budget, but I would ask, do you support transparency of U.S. funding?

Ms. POWER. I do, sir.

Senator BARRASSO. Support the Congress and the American people receiving a report from OMB on an annual basis on U.S. contributions provided to the United Nations?

Ms. POWER. Full transparency I think to sustain support for, again, the generous contributions that the American people make—you have to provide transparency.

Senator BARRASSO. The other question that you raised is the issue of sovereignty. Your position is very important. Can you just talk a little bit about how you plan on preserving and protecting American sovereignty within the United Nations?

Ms. POWER. Well, one starts, of course, sir, by asserting again and again the importance of American sovereignty. It also involves protecting the interests and projecting the values of the United States within the United Nations when countries seek to judge us and take steps, any steps, that would interfere, again, with domestic law or domestic practice, to stand up against that and to fight for our laws to be ascendant as they are within this country.

Senator BARRASSO. Can you talk a little about your commitment to challenging the actions of the United Nations that run contrary to our standards, our values, and our interests?

Ms. POWER. Well, I think there are at least two dimensions to that, one on the mismanagement side. That certainly runs contrary

to our aspirations for how we govern ourselves. And then again, on the values side, whether it is corruption or those countries that trample human dignity or that stand with human rights abusers, we have to use the bully pulpit and be forceful in contesting that wherever we can and also creatively thinking about what other tools we can do beyond speaking out, what tools we could put in place in order to halt those practices.

Senator BARRASSO. Can you talk a little bit about what measures you might use in assessing whether or not to veto a specific U.N. resolution, just how you would think about those things?

Ms. POWER. Obviously, any discussion or decision about using the veto would be something that one would have in the context of the interagency and so forth, but we will not allow anything to go through the Security Council that we deem a threat to U.S. national security interests. And that is, I think, a broad standard but a critical one.

Senator BARRASSO. I wanted to follow up a little bit with Senator Risch on the Palestinian Authority. I have a number of written questions that I will submit.

I am just wondering how you are going to make it clear to the Palestinians that their actions at the United Nations will have serious implications and consequences.

Ms. POWER. Well, I know from having worked this issue for the last 2 years that we make it clear in every bilateral encounter we have with the Palestinians that it will have serious consequences. Moreover, it will have serious consequences not just to the United States-Palestinian bilateral relationship but to the peace process which the Palestinians have invested in and which all of us have an interest in seeing bear fruit. I think there is legislation up here as well that would impose direct symbolic and financial consequences in terms of the Palestinian office and some of the funding, and the Palestinians have been made well aware of those consequences as well.

Senator BARRASSO. Thank you.

Thank you, Mr. Chairman.

The CHAIRMAN. Senator Paul.

Senator PAUL. Congratulations on your nomination, and thanks for coming today.

Was the recent military takeover in Egypt a coup?

Ms. POWER. Thank you, Senator.

As you know and as we discussed, I share the President's concern and your concern over the seizure of power from President Morsi, the suspension of the constitution, the arrests, et cetera.

On the legal matter and on the review that the administration is carrying out, I just do not feel equipped to comment not now serving in the administration, not having access to full facts and not being part of the review.

Senator PAUL. So for the record, you are unsure if it is a coup.

Ms. POWER. I do not feel equipped to comment.

Senator PAUL. Very politic of your answer.

You stated that whenever a government is killing its citizens, it is morally incumbent, I presume, for us to intervene. In Pakistan, they kill their citizens for certain types of speech. Does that mean we should intervene in Pakistan?

Ms. POWER. Thank you, Senator.

The quotation that you read surprises me because that is not language that I would normally use, but let me refine my own view, if I could.

“Intervene” is a word that can mean a range of things. When you speak out in a country to contest gross violations of human rights or mass atrocities, that is a form of intervention in the sense that you are, in a way, meddling in the internal affairs of a state on behalf of human rights. Economic sanctions are a form of response. I think in the face of gross violations of human rights, mass atrocity, genocide—and this is, again, something we discussed yesterday—we have a vast array of tools in the toolbox: assistance—

Senator PAUL. I guess my specific question then would be are you willing today to speak out against the practice of killing people for making religious statements that are objectionable to certain religions.

Ms. POWER. Absolutely, sir. I have spent my whole life speaking out about such.

Senator PAUL. Because I mean, that is part of it. I think we have become so timid with certain of these—you know, at the very least we can call them intolerances, but basically killing people for religious speech I think is something we should not be ashamed of speaking out about. I am not proposing we invade Pakistan to tell them how to lead their lives in their country, but I am saying that not only should we speak out about it, we should make our aid contingent upon it. Do you think any aid to these countries should be contingent behavior?

Ms. POWER. Well, sir, again as we discussed, I think every tool in the toolbox needs to be reviewed, and depending on the circumstances—it is a little hard to speak in the abstract, but we need to use the levers we have at our disposal, consistent with our other interests because we do retain other interests, of course, with these countries as well, but certainly examine anything we can do to deter such horrible practices.

Senator PAUL. When we intervene in countries, who gets to make that decision? The President or the Congress?

Ms. POWER. Thank you.

Well, let me just say—and I hope the last few weeks—that the past is prologue in a way. If I am confirmed, I would benefit enormously if I could maintain the relationships that I feel like I have begun to forge here these last weeks and continue these conversations.

So consultation is indispensable. I cannot do this job, even if confirmed without you.

Senator PAUL. Congress or the President decides whether we—

Ms. POWER. As you know, there is a longstanding debate between the executive and the legislature that has crossed Republican and Democratic administrations about authorizations for the use of force. And all I can say is that I promise to consult with you extensively at all times.

Senator PAUL. It sounds like a nonresponse response.

But, you know, the thing is that these are important questions. The vast majority of the public is not in favor of arming Islamic rebels who, in all likelihood, will be killing Christians in Syria. The

vast majority of the American public is not in favor of giving arms to people who are basically allied with al-Qaeda in Syria. The vast majority of the public does not believe that we are going to have a way of knowing who our friends and who our foes are. We cannot even tell who our friends are in the Afghan Army, which is a much more stable situation than Syria. So I find it incredible to think that we will.

But the thing is those can be honest disagreements among people who say, oh, absolutely we can say who the good people are and we are only going to give weapons to good people. I find it a ridiculous argument, but I think it is an argument that some could make.

But the thing is that I do not think there is a valid argument for fighting secret wars without the permission of Congress. And basically that is where we are right now.

I think it is also untenable to the American public for the administration to say, well, you know, we are going to go over there and we are going to arm them. We are not really going to try so much to win, but we really would like to get to stalemate so we could get the Russians to negotiate. And I think that is really not very tenable either and not too exciting for American GIs who might lose lives and limbs, should we be stuck in another war in the Middle East, to be too excited about this, that well, our goal is stalemate.

And I think you have noble purposes in wanting to eradicate human rights abuses around the world, but realize that war is a messy business and people do lose their lives, people you know. A young sergeant in the neighboring town to mine lost both legs and an arm in Iraq. And so these are not geopolitical games and they are not things that we can say we are going to make the world this great, groovy place where nobody has any human rights abuses, but we are going to do it through war.

And so my caution is to be careful about what we wish for and to be careful about the belief that even though we are a good people and we want good things—I think you are a good person and you want good things—that in all likelihood, as you do this, there are unintended consequences. And as we slip into this new war in Syria, if our trainers that are over there—I do not know how many there are, but the newspaper says several hundred trainers are over there that are Americans.

So I would just say that even though noble intentions, I think, are yours, be very wary of what intervention means when we intervene. And it is one thing to send bread, but it is another thing to send guns.

Thank you.

Ms. POWER. Thank you, sir.

The CHAIRMAN. Thank you, Senator.

I just have some final questions and then we will, hopefully, let you go. You have been resilient here for 2 hours. And your son is doing exceptionally well. It is amazing what food can do. [Laughter.]

Let me ask you. First of all, when you get confirmed—and I believe you will be—I would like you to look at our charge and mandate at the United Nations on the question of Cyprus and the division of Cyprus and where we are at in that regard. I believe the

Cypriots have a new President and some new initiatives even in the midst of economic challenges, and I would like to see us be able to be more vigorous in our engagement through what is an ongoing U.N. effort to end the division of the country for quite some time. So I hope you will be able to do that.

Ms. POWER. Absolutely, sir. I take it that the Special Representative Downer is hoping to restart talks in October, and it feels like a ripe opportunity.

The CHAIRMAN. Now, these are two generic questions but they are important I think. Is genocide genocide only when it is convenient to call it so, or is genocide genocide when it violates the Convention on the Prevention and Punishment of the Crime of Genocide?

Ms. POWER. I have written, as you know, a great deal about this. I think the Genocide Convention is a worthy instrument. I would note that political groups are excluded from the convention as a potentially targeted group by virtue of the role of the Soviet Union in the drafting of the convention. So it is not a perfect instrument, but I think it is an agreed upon tenet of international law today.

The CHAIRMAN. Well, let us move the convention aside then for a moment. Is genocide genocide when all of the facts that we observe would lead to a conclusion that a genocide has taken place, or is that only when it is convenient to acknowledge it is genocide?

Ms. POWER. The former. The facts should drive the analysis.

The CHAIRMAN. And if the facts drive the analysis, then we should call that set of actions, whether historical in nature of present—God forbid—in reality a genocide.

Ms. POWER. I believe so, yes.

The CHAIRMAN. Is a violation of human rights a violation of human rights depending upon where it takes place, or is it universal?

Ms. POWER. Universal, sir.

The CHAIRMAN. I think you understand why I asked you those questions. And I hope that your past history in this regard, even in the context of understanding the new role that you will play, will not diminish your fire for making the case internally why genocide should be called genocide when the historical facts attain themselves to that standard.

All right. With that, Senator Corker, any final remarks?

Senator CORKER. I do. I want thank you for having the hearing and I want to thank Ms. Power for coming before us. There are very few people nominated to positions like this that have so many people in advance giving strong opinions about your service, and as I mentioned on the front end, sometimes our nominees are more interesting than others. You, no doubt, are one of the interesting nominees.

And I very much appreciate the conversation that we had in the office. I think you have handled yourself exceptionally well today. You know, based on those conversations—I know nothing know about premeeting you a few weeks ago firsthand—I think you are going to be a significant and positive force at the United Nations, something that certainly our Nation and the world needs at this time from, as you mentioned, the world's greatest nation.

So I happen to be, based on the interaction and again the way you have answered questions today, exceptionally excited about the fact that you are going to be in this position, and I hope that you will continue in your service along the lines that the answers were today and certainly the meeting that we had in our office and I think you will.

So, look, we need very, very strong representation and leadership at the United Nations especially today. My sense is you are going to be, again, an exceptional advocate for our country and for causes around the world that we care about. And I am thankful that you are going to be in this position very soon.

And I thank your family. I have enjoyed getting to know them. I had a chance to spend a little extra time with your daughter in the back. [Laughter.]

Thank you very much.

The CHAIRMAN. I would remind members that 5 o'clock today is the close for any questions submitted for the record. I would urge you to answer the questions as quickly as possible. It is the chair's intention to put your name on an executive calendar meeting for next Tuesday. That will depend upon answers to questions being submitted in a timely fashion, which I would expect you would do, so that we could get, hopefully, you seated while we are still the President of the Security Council and get you to work.

With the thanks of the committee, this hearing is adjourned.

[Whereupon, at 12:17 p.m., the hearing was adjourned.]

ADDITIONAL QUESTIONS AND ANSWERS SUBMITTED FOR THE RECORD

RESPONSES OF SAMANTHA POWER TO QUESTIONS SUBMITTED BY SENATOR ROBERT MENENDEZ

Question. U.S. engagement in the United Nations allows us to leverage both resources and influence with other like-minded nations toward common goals.

- Please give us examples of how, by working through the United Nations, we've been able to magnify our efforts. How does the United States work through the United Nations to better protect U.S. national interests? Do we do so effectively? What can we do better?

Answer. As I noted in my testimony, The U.N. has an important role in a wide range of U.S. national security issues, including efforts to combat terrorism, nuclear proliferation, and pandemics. The U.N. also plays an essential role in advancing American values around the world.

The United Nations is a primary partner in our efforts to maintain peace and security around the world. From Haiti to the Golan Heights to Cote d'Ivoire, U.N. peacekeeping operations are the lynchpin to maintaining peace, protecting civilians, and stabilizing fragile states. In 2011, the United States worked with our partners on the U.N. Security Council to prevent a massacre in Libya and help the Libyan people begin a transition to democracy after four decades of brutal dictatorship. In Mali, U.N. peacekeepers will be critical to our efforts to restore stability, which will help prevent the creation of an al-Qaeda safe haven in the Sahel region.

The United Nations also plays a critical role in U.S. and international efforts to prevent the proliferation of nuclear weapons and fight terrorism. Working through the U.N. Security Council, we have helped facilitate the adoption of robust multilateral sanctions on Iran and North Korea that remain key tools in our efforts to convince these actors to change their behavior. Similarly, U.N. sanctions on al-Qaeda and other terrorist groups are a key tool in our efforts to eliminate the threat of terrorism.

The United States also relies on the U.N. system to help address humanitarian crises that require international response. The U.N. World Food Programme, the U.N. High Commissioner for Refugees (UNHCR) and the U.N. Children's Fund (UNICEF) have the expertise, capacity, and networks to reach displaced persons

and victims of conflict even in highly insecure areas. For example, the United Nations has played a critical role in coordinating and delivering humanitarian assistance to nearly 7 million people affected by the violence in Syria, as well as nearly 1.8 million refugees from Syria who have fled to Turkey, Lebanon, Jordan, Iraq, and Egypt. U.N. agencies such as the World Health Organization, the Food and Agriculture Organization and the U.N. Development Program also play a critical role in U.S. and international efforts to strengthen global pandemic preparedness, fight infectious disease, improve food security, and promote development to alleviate poverty in the world's poorest regions.

Finally, U.S. engagement in the U.N. helps to advance American values such as freedom of speech and association, protection of minorities and the rights of women and children. Through the U.N. Human Rights Council, the United States has helped shine a spotlight on the worst human rights abusers, including North Korea, Syria, and Iran. We have also helped pass the U.N.'s first ever resolution on the human rights of LGBT persons and at a time of crackdown on civil society created a special rapporteur on freedom of association.

While the U.N. does much to advance U.S. interests around the world, it could do more. Under President Obama's leadership, the United States has worked to strengthen and improve the effectiveness of the U.N. system to carry out its many mandates. This administration has also worked with the U.N. to reduce waste and inefficiency, and to guarantee that the contributions of the United States and other member states are used as effectively and transparently as possible. If confirmed, I will continue our engagement with the U.N. in pursuit of U.S. interests, and our efforts to make the U.N. a stronger, more effective organization.

Question. Please explain the different elements of U.S. assessed contributions to the United Nations, how they are assessed, and how the United States provides for their payment. For example, there is the U.N. regular budget; there is the U.N. Capital Master Plan; and there are two U.N. War Crimes Tribunals.

- Are we assessed 22 percent for each of these? Do you think these assessment levels are appropriate? What is the success rate of the United States in keeping the rate of growth in the U.N. regular budget within certain limits?

Answer. The United States pays 22 percent of the U.N. regular budget. The 22 percent is the maximum (ceiling) rate under the regular budget scale of assessments. The costs of the U.N. Capital Master Plan were also assessed according to the regular budget scale. The United States paid 22 percent of that assessment over 5 years, from FY 2008 through FY 2012.

There is a separate scale of assessments for U.N. peacekeeping budgets. One half of the budgets for the U.N. War Crime Tribunals are assessed according to the peacekeeping scale of assessments, and one-half according to the regular budget scale of assessments. The United States is assessed 28.4 percent of the total U.N. peacekeeping budget under the peacekeeping scale and 22 percent of the amount assessed under the regular budget scale.

The United States and other major contributors to the United Nations have been working very hard to limit growth in the U.N. regular budget. The administration has been successful in keeping the 2012–2013 budget level below the level of the 2010–2011 budget, marking only the second time in 50 years that the U.N. regular budget decreased from the previous biennium.

Over the next 2 years, in advance of the General Assembly's next review of the scales of assessment in 2015, the administration will work to achieve reforms in the U.N. scales of assessment methodology to better reflect changes to the global economy. Although the latest scale of assessments included notable increases for several countries, including China and Russia, the methodology used to calculate each country's share needs to be streamlined and updated.

The administration will also work to address the scales in the context of a broader U.N. reform agenda, identifying alternative formulations for the scales of assessments that better reflect capacity to pay, and working closely with other major financial contributors to ensure their support for our efforts.

Question. What is the current status of U.S. arrears in its contributions to the U.N. regular budget, including the Capital Master Plan and the two war crimes tribunals? Please explain these arrears.

Answer. The United States has approximately \$529 million in arrears at the U.N., the vast majority of which date from prior to 2000. The unpaid amount consists of \$341 million for peacekeeping missions, \$176 million for the regular budget, and \$12 million for the U.N. war crimes tribunals for Rwanda and the former Yugoslavia.

In 2009, with the support of Congress, the administration cleared \$243 million in post-2000 arrears at the United Nations. This amount consisted of \$159 million for

peacekeeping missions and \$84 million for the U.N. regular budget. There are no arrears for the Capital Master Plan.

Question. The United Nations has a longstanding presence in Burma, focused largely on humanitarian and development issues. The United Nations has sent aid convoys—which frequently have been blocked—to aid civilians in areas of fighting between the army and Kachin rebels, assisted refugees in camps for the displaced along the country's borders, aided ethnic Rohingya minorities who are denied citizenship by the government, and carried out disaster risk reduction, health, environmental protection, and food security programs, among other activities.

- What positive roles do you think the United Nations can play in furthering Burma's tenuous transformation from military dictatorship to democracy?

Answer. As you noted, the U.N. has been working in Burma for many decades and has provided much-needed humanitarian assistance to the people of Burma. The Burmese Government has taken positive steps, including the release of hundreds of political prisoners and holding elections in which the democratic opposition participated as a legal political party and its leader Aung San Suu Kyi was elected into the Parliament. In response, the United Nations—with the support of the United States—has stepped up efforts to assist the transition and support long-term economic development.

Given its expertise and programming, as well as the experience that comes with a longstanding presence in Burma, the U.N. can provide valuable assistance to help the country transition to a prosperous democratic society. Many areas in which the U.N. can work—legal reforms regarding political participation, labor, human rights, media, and commerce, as well as providing health, education, and livelihood programs—can bring tangible benefits to the Burmese people and help consolidate political transition. The U.N. can complement U.S. efforts in these and other areas.

The administration supports efforts to resolve ethnic conflicts peacefully, and is working with the government, the U.N., and other international partners to help the parties reach political settlements that address longstanding grievances as well as to provide needed humanitarian and development assistance to affected populations.

Despite the positive efforts, the United States remains concerned about the severe limits on humanitarian access in certain parts of the country and also concerned about the protection of internally displaced persons, refugees, asylum seekers, and other vulnerable migrants. The U.N. can play an important role in both Burma and neighboring countries to help address these issues. In this regard, the administration supports the U.N.'s recent extension of the mandate for a special rapporteur on the human rights situation in Burma, paying particular attention to the plight of the Rohingya.

On the eve of President Obama's historic visit to Burma in November 2012, President Thein Sein publically committed to take concrete steps in 11 areas of human rights and humanitarian reforms, including to "extend an invitation to the U.N. High Commissioner for Human Rights (OHCHR) to establish an office in Myanmar." An OHCHR presence in country would provide an institution through which the government can seek technical assistance and human rights expertise to push to completion the ambitious democratic reform agenda it has set out to accomplish. During the visit, President Obama spoke at the University of Yangon and said, "No process of reform will succeed without national reconciliation. You now have a moment of remarkable opportunity to transform cease-fires into lasting settlements, and to pursue peace where conflicts still linger, including in Kachin State. Those efforts must lead to a more just and lasting peace, including humanitarian access to those in need, and a chance for the displaced to return home."

If confirmed, I will work to ensure that the commitment to open an OHCHR office in Burma is fulfilled. I will also work closely with senior U.N. management as well as like-minded countries to support the U.N.'s continued provision of assistance to support the country's transition.

Question. I remain deeply troubled by reports of systematic discrimination and organized violence targeting Burma's ethnic Muslim minorities. What can the United Nations do to deal with this situation? How will you use your position to advance these efforts rapidly?

Answer. As I said in my opening comments, if confirmed, standing up for human rights and human dignity will a priority for me as U.N. Ambassador.

The U.N. General Assembly (UNGA) and the Human Rights Council (HRC) each adopt an annual resolution on the human rights situation in Burma, which include expressions of concern regarding discrimination, human rights violations, and violence directed against persons belonging to ethnic, religious, or linguistic minorities in Burma. Recent resolutions have maintained scrutiny on Burma and urged contin-

ued reforms while recognizing the positive changes that the Government has made in the past year. The HRC's resolution also renews the mandate of the Special Rapporteur (SR) for the Human Rights Situation in Burma. The current SR for Burma is Tomas Quintana (Argentina), who conducts regular visits to Burma and reports to the HRC and UNGA on his findings concerning the situation in the country. If confirmed, I intend to continue to work closely with and support the important work of the Special Rapporteur.

During the June HRC session, the Council adopted a Presidential Statement (PRST) on the "Situation of Human Rights in Myanmar as Regards to Rohingya Muslims in Rakhine State and other Muslims" that the United States supported and joined consensus on alongside of the Organization for Islamic Cooperation (OIC) and other HRC members.

Despite the evolution in the UNGA and HRC resolutions on Burma and in the United States bilateral relationship with Burma, significant human rights concerns remain. There have been ongoing human rights violations against the Rohingya community in Rakhine State since an initial flareup in June 2012 and an increase in the expression of anti-Muslim sentiment across the country.

The United States also continues to engage with the Government of Burma and the Office of the High Commissioner for Human Rights (OHCHR) to press for the establishment of an OHCHR country office in Burma, a commitment that President Obama secured from the Burmese Government on his November trip. An OHCHR office could provide the Government of Burma with valuable training and other assistance to build Burma's capacity to protect human rights.

Question. A Commission of Inquiry to examine allegations of human rights abuses in North Korea set up by the United Nations Human Rights Council began work last week in response to long-expressed concerns by U.N. High Commissioner for Human Rights, Navi Pillay and several independent U.N. human rights experts that serious crimes, including crimes against humanity, have been prevalent in North Korea for decades. The Inquiry will examine claims of "systematic, widespread and grave violations of human rights" in North Korea.

- What is your sense of the current human rights situation in North Korea, and how do you think the United States can most effectively move the human rights agenda forward in tandem with our efforts to bring North Korea's nuclear and missile programs under control?

Answer. As I said in my opening comments, if confirmed, standing up for human rights and human dignity will be one of my priorities as Ambassador to the United Nations. The human rights situation in the DPRK remains deplorable. The DPRK is one of the world's most systematic abusers of human rights. The State Department's annual "Country Reports on Human Rights Practices" details the breadth and depth of the government's human rights abuses. The human rights situation in the DPRK is addressed every year at the U.N. Human Rights Council (HRC) and in the U.N. General Assembly Third Committee and U.S. officials use their voice in these venues and beyond to highlight the horrible conditions in the DPRK. The United States calls on the DPRK to close its gulags, and end systematic repression and the starvation of its population. At the March 2013 HRC session, the United States worked closely with Japan, the European Union, and the Republic of Korea (ROK), among others, to cosponsor a resolution that established a Commission of Inquiry (COI) to investigate the grave, widespread, and systematic human rights violations in North Korea. The resolution was adopted by consensus, illustrating the extent to which the international community shares the concerns voiced repeatedly by the United States and others on the Council. The COI, led by Michael Kirby (Australia), and including Sonja Biserko (Serbia) and Marzuki Darusman (Indonesia), began its work on July 1.

The COI will build on the important work by the Special Rapporteur on the situation of human rights in the DPRK, Marzuki Darusman, who has provided insightful and detailed reporting on the human rights situation despite the DPRK Government's refusal to grant him access to the country. The Special Rapporteur, whose mandate the United States has consistently supported, has provided an important monitoring function, reporting to the U.N. Human Rights Council every March as well as to the U.N. General Assembly every fall. The United States takes the opportunity of the interactive dialogue with the Special Rapporteur to express our concerns about human rights in North Korea.

The United States will continue to work with partners at the Human Rights Council to support the COI in its important work, and looks forward to the COI's interim report to the Human Rights Council in September and its full report of its findings to the HRC in March 2014.

Ensuring the well-being of North Korean refugees and asylum seekers is also very important. If confirmed as Ambassador, I will ensure that we continue to work with other countries in the region and our international organizations, including the U.N. Human Rights Council and the U.N. High Commissioner for Refugees, to raise attention to the deplorable human rights conditions in the DPRK and to cooperate in the protection of partners, especially South Korea, on the issue of North Korean refugees and asylum seekers. If confirmed, I would continue to urge all countries in the region to act in conformity with the 1951 U.N. Convention Relating to the Status of Refugees and its 1976 Protocol.

I would welcome any additional ideas you have on how we might raise the profile of the human rights crisis in the DPRK.

Question. I'm interested in your insight on where China is regarding North Korea, and how you intend to work with the Chinese Ambassador to the United Nations to continue to build on the close cooperation Ambassador Rice has established with her Chinese counterpart.

- Do you think China is prepared to be serious and implement and enforce sanctions this time? Do you think the PRC has leverage to play to change North Korea's behavior?
- If North Korea conducts an additional missile or nuclear test what do you think U.S. policy ought to be? Are there additional sanctions or action through the UNSC? Additional unilateral sanctions—along the lines of the Banco Delta Asia sanctions from 2005—that we ought to pursue? As you know, there is some consideration in Congress to creating new statutory authority for additional unilateral U.S. financial sanctions on North Korea. Do you think that that would be helpful?
- Cuba's recent shipment of weapons systems to North Korea clearly has serious implications for international security. Does this shipment amount to a violation of U.N. Security Council resolutions and sanctions on North Korea? Does the administration plan to submit this issue to the Security Council for review?

Answer. The administration has commended Panama for the recent actions it has taken to implement relevant U.N. Security Council resolutions with regard to the North Korean ship *Chong Chon Gang*. The United States will work closely with the Government of Panama, which has requested our assistance, and the administration intends to provide assistance as best we can.

Panama has informed the UNSC DPRK Sanctions Committee of the incident and has invited the Panel of Experts, which assists the United Nations Security Council North Korea Sanctions Committee, to conduct an investigation.

Panama's actions regarding the Sanctions Committee as well as requesting the involvement of the Panel of Experts will help clarify involvement of the Government of Cuba with this issue. We will look at all possibilities regarding appropriate actions once the Committee and Panel complete their work. The administration will keep your staff informed.

North Korea's nuclear, ballistic missile, and proliferation-related activities constitute a serious threat to international peace and security and undermine the global nonproliferation regime. Shipments of arms or related material to or from North Korea, and services related to such items, would violate U.N. Security Council Resolutions 1718 and 1874, as reaffirmed this year in Resolutions 2087 and 2094. These Security Council resolutions generally provide that all states shall prevent the direct or indirect transfer of weapons from their territory or by their nationals to North Korea and shall prohibit procurement of such weapons from North Korea. The administration hopes that the Sanctions Committee, with the support of the Panel of Experts, will investigate this case thoroughly, identify parties responsible and recommend actions to be taken in response. The administration notes that the Sanctions Committee has the ability to impose targeted sanctions (asset freeze/travel ban) on individuals and entities found to have contributed to prohibited activities or to evasion of the sanctions.

The United States also continues to work closely with China to deepen our dialogue on North Korea to achieve our shared goal of verifiable denuclearization of the Korean Peninsula in a peaceful manner. Through our discussions, the administration will continue to encourage China to leverage more effectively its unique relationship with the DPRK. Chinese officials have made clear their concerns about North Korea's destabilizing and provocative behavior and their commitment to the denuclearization of the Korean Peninsula.

The administration worked closely with China in the adoption of U.N. Security Council Resolutions 2087 and 2094, the two 2013 resolutions that imposed new sanctions on North Korea. Chinese officials have stated publicly that China is com-

mitted to strict implementation of UNSC sanctions. It is a leading priority in the bilateral relationship for the administration to work with China on enforcement of all relevant DPRK-related UNSCRs and to address North Korea's threats to regional peace and security and the global nonproliferation regime.

The United States will continue to work closely with all U.N. member states to ensure the full and transparent implementation of U.N. Security Council resolutions concerning North Korea. This will make it harder for the DPRK to acquire the technology, know-how, and funds to develop its nuclear and ballistic missile programs, which the international community has repeatedly condemned. The administration will likewise continue to exercise our national authorities, where and when appropriate, to impede Pyongyang's nuclear, ballistic missile, and proliferation-related activities.

Question. In July 2012, the Azerbaijani State Civil Aviation Administration said in a statement that planned flights between Stepanakert and Yerevan would represent an invasion of Azeri airspace and "taking corresponding measures in connection with that is inevitable."

- What has the United States done to prevent Azerbaijan from committing provocative acts against civil aviation? What consequences would Azerbaijan face if they threatened a civilian aircraft? What role can the United Nations do to protect civil aviation in this situation?
- Members of the international community have repeatedly called for the withdrawal of snipers from the Armenian-Azerbaijani line of contact. What's the status of international efforts to accomplish this? Is it true that the Azeri Government has refused?

Answer. As a Cochair of the OSCE Minsk Group, the United States remains committed to helping the sides find a peaceful solution to the Nagorno-Karabakh conflict. Secretary Kerry has discussed the issue of civil flights to Nagorno-Karabakh with the governments of Armenia and Azerbaijan at the highest levels. The Cochairs of the Minsk Group (United States, Russia, and France) are working to help the sides find a means of resolving this issue diplomatically, and have received assurances that they will reject any threat or use of force against civil aircraft. We remain concerned about any action that could fuel tension in the region or threaten the peace process. We believe the Minsk Group remains the best mechanism to help the sides reach agreement.

The Cochairs of the OSCE Minsk Group are working to help reduce tension in the region. Over the years the Cochairs have proposed a number of confidence-building measures that would reduce violence and improve the climate for negotiations. The longstanding proposal from the Minsk Group to withdraw snipers is one such measure; they noted with regret in March 2011 that it had not been implemented, and they continue urging the sides to consider such ideas. In their June 2012 statement on the Nagorno-Karabakh conflict, the Presidents of the United States, the Russian Federation, and France reiterated the need for the sides to "respect the 1994 cease-fire agreement, and abstain from hostile rhetoric that increases tension." We remain committed to helping the sides find a peaceful resolution to this conflict. Member states of the U.N. should also reinforce these efforts.

Question. Alexander Downer has been the U.N. Secretary General's envoy to Cyprus since 2008. What has he been able to accomplish in his 5 years in the position? How often is he present on the island? What is your view of the role Turkey plays in the Cyprus issue and in its resolution?

Answer. The United States strongly supports the work of the U.N. Secretary General in Cyprus under the leadership of Special Advisor Alexander Downer. During his tenure, Downer has worked effectively with both sides to restart full-fledged negotiations. From 2008 to 2012, Downer and his team convened approximately 150 meetings of the Greek Cypriot and Turkish Cypriot leaders, in addition to hundreds of other meetings of the leaders' representatives and the bicomunal Technical Committees.

Following the election of President Anastasiades in February, Special Advisor Downer resumed regular visits to Cyprus to hold meetings with both leaders and to lay the groundwork on the way forward. The Greek Cypriot and Turkish Cypriot leaders have confirmed their intention to resume the settlement process in October, and while Greece and Turkey have also expressed support for the settlement process. If confirmed, I would support the efforts of the United States to work closely with the United Nations, both Cypriot communities, Greece, and Turkey to encourage reconciliation and reunification. The administration is prepared to commit energy and resources toward the goal of finally achieving the fair and lasting settlement that has eluded the people of Cyprus for so long.

Question. Does the election of a new President of Cyprus present a new opportunity for peace efforts in Cyprus? What can and should the United Nations do to take advantage of any existing opportunities? Is the resolution of this 66 yearlong dispute a policy priority for the administration?

Answer. The United States applauds the commitment of the two leaders to resume the settlement process in October. President Anastasiades has taken promising steps in support of the Cyprus talks, including the July 16 appointment of a lead negotiator.

If confirmed, I would strongly support intensive U.N. engagement. The United States firmly believes that a mutually acceptable settlement is in the best interests of the people of Cyprus and will continue to support such a settlement. The United States will continue to urge the leaders of both communities to engage constructively in the settlement process as the best way to reach an agreement and will also engage with Turkey and Greece to encourage reconciliation and reunification. And we will consult with you and look to see if there are additional steps we should be taking to advance progress.

Question. For years MONUSCO has been criticized for failing to protect civilians. What are your views on this new intervention brigade? Tanzania, South Africa, and Malawi are expected to be the major troop contributors. Do you think they are they up to the task of rooting out armed groups in the DRC?

Answer. Rooting out armed groups in the DRC is something that has been attempted by many different groups over many years. Although it will prove a challenging task, it is significant that in March, the United States supported the Security Council's approval of an Intervention Brigade (IB) within MONUSCO. The South African and Tanzanian battalions now are in place, and Malawi is due to arrive in the coming weeks. The United States is in the process of providing training and limited equipment support to the deployment of the initial Malawian battalion and the follow-on Tanzanian battalion and is prepared to support South Africa should there be a request. It is in the U.S. interest for this force to succeed, and we are looking at the ways in which we can support its mission.

Through the IB, MONUSCO now has a more explicit mandate to conduct independent military operations to disarm and neutralize armed groups, which have long been a major source of instability and violence against civilians, including sexual and gender-based violence, in the DRC. Such security operations will be essential to create space in which the DRC Government can undertake security sector reform and deliver on all its commitments in the Peace, Security and Cooperation Framework (the Framework) in support of a lasting, regional peace.

The administration has given its full backing to the Secretary General's recent appointments of Martin Kobler as his Special Representative and Head of Mission, as well as of Carlos Alberto dos Santos Cruz as Force Commander. The United States has been assured in turn that MONUSCO stands ready to protect civilians and that it will defend Goma if faced with an M23 offensive. The administration continues to urge all troop-contributing countries of MONUSCO to remain committed to implementing the mission's robust mandate.

Even though the IB has not fully deployed, it is already having a positive effect on the ground. M23 defections have risen and morale is reportedly very low. MONUSCO and its IB will play an important part in confronting armed groups, but the peacekeeping mission alone cannot solve the problem. Signatories must abide by and demonstrate their commitments under the framework, the international community must stay engaged, and there must be an end to impunity for those who have committed abuses and violations of human rights or violations of international humanitarian law. There are no overnight solutions to the human rights and security challenges in the DRC, but the United States has demonstrated, with our recent appointment of former Senator Russ Feingold as Great Lakes Envoy and our significant investments in the humanitarian and security situation on the ground, how invested we are in trying to find ways to help stabilize and promote human rights in the region.

Question. The Security Council recently announced the U.N. Mission in South Sudan (UNMISS) will be extended for another year. What other steps can the United States take through the United Nations in order to help the government better protect civilians?

Answer. I am deeply disturbed by mounting reports of abuse of civilians, including ongoing killings, beatings, and looting and destruction of homes and humanitarian facilities in Jonglei State. I am extremely concerned about the detrimental impact that these ongoing clashes have on the physical security and humanitarian situation of tens of thousands of affected South Sudanese. The rainy season, currently in

progress, makes travel difficult or impossible across vast swathes of South Sudan, and this—combined with SPLA restrictions on U.N. movement into active conflict areas—greatly complicates international efforts to gather information about the extent of the conflicts, deliver humanitarian assistance, or to respond to the violence that the United States believes to be underway.

The administration continues to strongly advocate for the U.N. Mission in South Sudan (UNMISS), U.N. humanitarian agencies, and NGOs to have full, unfettered access to all areas in order to protect civilians. This access would allow UNMISS to conduct timely patrols and air reconnaissance and permit humanitarian workers and U.N. representatives to provide assistance and protection to all affected populations. The United States has also called on the Government of South Sudan to meet its obligations to ensure the safety and security of all civilians regardless of their background or ethnicity. The United States has reiterated that the Government is responsible for preventing SPLA attacks on UNMISS or humanitarian staff and assets. If confirmed, I will also continue to press the government to hold accountable those individuals who are responsible for the violence and who have committed abuses—including members of the security forces—through transparent judicial processes that respect the rule of law. I am also keenly aware of the mobility issues facing UNMISS, particularly restrictions affecting the use of helicopters, and will work vigorously with the U.N. and other stakeholders to fill these gaps. I am also interested in obtaining the views of Members of Congress and advocates with long histories of working on South Sudan as I think through what additional steps may be taken.

Question. In the last month, we've seen increasing violence in Sudan, particularly in Darfur, against U.N. peacekeepers and between ethnic groups. Earlier this month, the U.N. Representative to the Secretary General noted that "[t]he deterioration in the security situation in parts of South Sudan has been accompanied by human rights violations by both armed groups and national security institutions . . . [while] cases of arbitrary arrest, detention, abuse and incidences of killings by security forces, as well as the inability of the authorities to hold those responsible to account, are cause for deep concern." And just last week, 7 United Nations peacekeepers were killed and 17 were injured.

- What more can be done to better support the United Nations Mission in Darfur?

Answer. The United States is deeply concerned about increasing violence in Darfur and deteriorating humanitarian and human rights conditions. The administration has also condemned in the strongest possible terms the attack by unidentified assailants on an African Union—United Nations Hybrid Operation in Darfur (UNAMID) patrol north of Nyala in South Darfur on July 13, which may constitute a war crime, and which constituted the largest single loss of life in the history of the UNAMID deployment. The United States deplores the persistent impunity for attacks on U.N. peacekeepers in Darfur and calls on the Government of Sudan to promptly conduct full and credible investigations into all attacks against UNAMID and to hold the perpetrators accountable.

The administration is pressing for a full investigation of this latest attack by the United Nations and the African Union. Once the perpetrators are identified, the United States will pursue targeted U.N. sanctions against those responsible for this attack and other attacks on peacekeepers.

The administration will continue to engage the African Union and troop contributing countries and work together to press the Government of Sudan and all parties to the conflict to cooperate fully with UNAMID and humanitarian organizations, to lift all bureaucratic and operational impediments to the mission's freedom of movement, and to allow the mission to implement its mandate without restriction. The administration will also emphasize to the U.N. and UNAMID leadership the importance of UNAMID's troops actually enforcing their Chapter VII mandate and the rules of engagement under which they operate.

The United States is providing predeployment training to contingents deploying to UNAMID and is engaging diplomatically with the governments of nations that provide troops and police contingents to UNAMID to encourage them to provide better trained and equipped personnel, and to protest the Government of Sudan's restrictions on UNAMID.

Obviously what is most needed, beyond better tactical civilian protection, is a meaningful political solution, which has long remained elusive. The administration will redouble its efforts to work with local parties and international stakeholders to resolve the crisis in a manner that addresses the root causes of the violence, holds perpetrators accountable, and addresses the longstanding grievances of the people of Darfur, who have suffered too long.

Question. The discovery of significant petrochemical resources in Cyprus' offshore economic exclusion zone (EEZ) may provide a new area for cooperation with the United States and with Israel. Prompt development of this resource could be a key driver of Cyprus's economic recovery and could potentially act as a stabilizing and unifying factor in the eastern Mediterranean. What can the United States do within the U.N. system to assist Cyprus in defending its right to operate in its exclusive economic zone?

Answer. The administration recognizes Cyprus' right to develop hydrocarbon resources in its EEZ. It does not believe that developing offshore energy resources need hinder the reunification talks. The administration continues to believe that, in the context of an overall settlement, the island's resources should be equitably shared between both communities. It fully supports the settlement process, under U.N. auspices, to reunify Cyprus as a bizonal, bicommunal federation. Such a settlement will help to strengthen regional stability as it would facilitate the normalization of relations between Cyprus and Turkey. If confirmed, as I stated during the hearing, I will support U.N. efforts to facilitate the settlement process. I will also support Cyprus' right to develop hydrocarbon resources in its EEZ, and urge U.N. member states to adopt a similar posture.

Question. In your book, "A Problem from Hell: America and the Age of Genocide," you described American inaction during the Armenian genocide. What is the obligation of the United States to condemn and commemorate past instances of genocide? What are the dangers of genocide denial?

Answer. With regard to your question about genocide, condemning and commemorating such crimes is extremely important. Doing so is a form of accountability, and it honors the memory of the victims and the survivors. It also reminds us that such horrors can be repeated unless we work to bring the promise of "never again" to life. As President Obama said at the launch of the Atrocities Prevention Board, "We must tell our children. But more than that, we must teach them. Because remembrance without resolve is a hollow gesture. Awareness without action changes nothing. In this sense, 'never again' is a challenge to us all—to pause and to look within." If confirmed, as I said in my hearing, I will stand up for human rights and stand up against atrocities and genocide.

On the first part of your question, the United States clearly acknowledges as historical fact and mourns the fact that 1.5 million Armenians were massacred or marched to their deaths in the final days of the Ottoman Empire. I will represent the United States Government and faithfully carry out the policy of the administration. As President Obama has said, a "full, frank, and just acknowledgement of the facts is in all of our interests."

RESPONSES OF SAMANTHA POWER TO QUESTIONS SUBMITTED
BY SENATOR BOB CORKER

Question. If confirmed, will you commit to making oversight a priority of your tenure as U.N. Ambassador? Do you consider the OIOS to be an independent inspector general and does the current Office of Internal Oversight (OIOS) have the tools and authority it needs to adequately perform an effective oversight role? If not, what recommendations would you make to further strengthen oversight and transparency?

Answer. As I noted in my opening testimony, making the United Nations more efficient and effective will be a priority, if I am confirmed as Ambassador to the United Nations. The United Nations Office of Internal Oversight Services (OIOS), which was established in 1994 and uncovers numerous cases of mismanagement, fraud, and abuse each year, serves as the U.N.'s inspector general by fulfilling the Secretary General's internal oversight responsibilities. The General Assembly resolutions governing OIOS established operational independence for the Office in order for it to effectively deliver its mandates without interference. However, the United States continues to press for even greater operational independence for OIOS, including greater control over budget and personnel decisions.

If confirmed, I will support efforts to revitalize OIOS and further strengthen its core functions of audit, investigation, and evaluation. While I was an advisor at the White House, the United States worked tirelessly in the General Assembly to establish an Assistant Secretary General position to serve as OIOS Deputy to improve overall management. The United States also has strongly supported efforts of the current OIOS head, Ms. Carman Lapointe of Canada, to reduce vacancies across the Office, particularly in the Investigation Division where the vacancy rate was the highest. In addition, the United States supports the Secretariat's reaffirmation of

OIOS' jurisdiction over U.N. funds and programs, to enable OIOS to have full access to these entities and all parts of the U.N. system.

Question. The 2008 report of the cochairs of the Mandate Review, which sought to identify and review the ongoing relevance of "all mandates older than five years originating from resolutions of the General Assembly and other organs," concluded that only 155 (56 percent) of the 279 mandates in the Humanitarian cluster were "current and relevant" and that only 18 (35 percent) of the 52 mandates in the African Development cluster were current and relevant.

- Which, if any, of these mandates have been eliminated? Do you intend to seek an update of the Mandate Registry or revive the Mandate Review?

Answer. As the United States faces difficult budgetary challenges, the United Nations also needs to closely scrutinize all its budgeted activities. The administration remains concerned about the size of the U.N. budget and the continuation of anachronistic mandates, policies, and programs. Even before joining the U.S. Government, I was outspoken about the need for far more rationalization of mandates and missions across the U.N.

The 2005 World Summit established a process to review U.N. mandates. That process effectively came to an end with UNGA Resolution 62/278 (2008). While there was some consensus reached in setting aside 74 completed mandates and identifying overlapping mandates during Phase I of the review, during Phase II of the review, there was limited progress in reviewing any significant number of mandates and no progress in eliminating or consolidating any mandates.

Overall, this attempt at a "mandate review" was highly contentious. Developing countries refused to engage in the process in a meaningful way because they viewed the exercise as an effort by the United States and others to cut the U.N. budget in areas that they most strongly support. As a result of the experience and the controversy, the term "mandate review" is now viewed negatively by many member states. Despite this, I firmly believe the problems this exercise was attempting to address are real and continue to deserve attention.

The administration continues to push for a more selective and strategic approach to improve problematic mandates or selective groups of related mandates such as in the area of development. In addition, the administration supports inclusion of sunset clauses in mandates. The administration continues to provide input and look for opportunities to evaluate mandates on a routine basis, for example through the application of results-based management. The Secretary General recently called for the need to seriously review mandates again, and I look forward to offering him the whole-hearted support of the United States as well as my personal support.

Question. Previous reform efforts have included strengthening protections for whistleblowers at the United Nations. What steps do you intend to take to further protect whistleblowers at the United Nations from retaliation, including best practices for protecting whistleblowers from retaliation? Would you support extending whistleblower protections beyond formal U.N. employees and staff members to others who report illegality, waste, mismanagement, abuse of authority, or acts that pose a substantial and specific danger to public health or safety?

Answer. This administration remains deeply committed to advancing oversight, ethics, and accountability reforms throughout the U.N. system. Through the United Nations Transparency and Accountability Initiative (UNTAI) and U.S. leadership in the General Assembly and relevant governing bodies, the United States has pressed U.N. leadership to robustly enforce U.N. policies on whistleblower protection.

The UNTAI benchmark for whistleblower protection is based on research of best practices, which includes policies on zero tolerance of retaliation and mandatory training. If confirmed, I would support continued consultations with U.N. system organizations on how they can build a culture of accountability and further effective whistleblower policies.

I agree that whistleblowers should be able to report fraud and corruption without fear of reprisal. The current U.N. whistleblower policy is tailored to protect U.N. personnel against retaliation. The policy includes measures to reverse administrative actions deemed to be retaliatory, which deems it largely inapplicable to individuals not employed by the United Nations. That said, I believe that it is important to consider measures for providing greater protection to individuals who report illegality, waste, mismanagement, abuse of authority, or acts that pose a substantial and specific danger to public health or safety.

At U.S. urging, U.N. member states made a formal request to the Secretary General this past spring to expedite the development of strengthened protections against whistleblower retaliation, and the U.N. Ethics Office is expected to present recommendations to the General Assembly this fall. The U.S. Mission to the U.N.

also remains committed to maintaining a hotline for waste, fraud, and abuse on its Web site where U.N. staff or other persons can report to the United States any abuse or retaliation at the United Nations.

Question. Considering the expense and difficulty of obtaining troop commitments for peacekeeping operations, especially those missions with a more robust mandate, and given the U.S. role as a permanent Security Council Member, if confirmed, will you commit to reviewing and reporting back to Congress on the ongoing necessity for longstanding peacekeeping missions?

Answer. The United States Government reviews individual peacekeeping missions annually, or more frequently in some cases. Especially in tough budget times, we need to make sure each mission is justified. If confirmed, I look forward to consulting with Congress throughout this process.

In addition, the Department briefs the Senate Foreign Relations Committee on U.N. peacekeeping on a monthly basis. The Department of State also provides an annual report to Congress on U.N. peacekeeping operations. The Department also notifies Congress when impending votes in the Security Council may modify the mandate of an individual mission or increase its size, as required by law.

Question. What steps has the United Nations undertaken since 2009 to address sexual exploitation, abuse and misconduct by U.N. peacekeepers and civilian personnel participating in those operations? What further steps will you pursue, if confirmed?

Answer. The United States remains a leader in international efforts to eliminate sexual exploitation and abuse (SEA) by U.N. personnel, including by U.N. peacekeepers (whether international or local, civilian, military, or police). Predatory behavior by a few discredits the approximately 111,000 people serving with distinction in U.N. peacekeeping missions around the world, and undermines the trust that is essential to the success of each mission.

In late 2011, the United Nations launched an internal review to ensure that all peacekeeping missions are complying with the regulations and procedures recommended in the 2005 report by Prince Zeid of Jordan, the U.N. Secretary General's Adviser on SEA. As a result of this review, the U.N. has undertaken a program of action focusing on three aspects: (1) ensuring the credibility of the Organization's response through increased transparency and cooperation; (2) strengthening governance, oversight, and enforcement; and (3) enhanced awareness and advocacy for more responsive protection and assistance to victims of SEA. These efforts are coordinated by the Conduct and Discipline Unit (CDU) in the Department of Field Support.

Under this program of action, there have been a number of key developments over the last year. For example, beginning in September 2014, the United Nations will include in the annual report of the Secretary General on special measures for protection against sexual exploitation and sexual abuse, country-specific data on SEA allegations, including pending actions and any sanctions imposed. Field missions are currently reviewing a draft accountability framework for conduct and discipline. The U.N. has also taken steps to improve the Misconduct Tracking System (MTS), a database for tracking allegations of misconduct, including SEA. As part of a new human rights screening policy, issued in December 2012, MTS is now linked to the recruitment tool used by the Police Division in the Department of Peacekeeping Operations, facilitating clearance of police personnel prior to deployment to the field. Work is also underway to establish a similar link with the recruitment system used by the Office of Military Affairs for military personnel. The enhanced reporting and improvements to MTS were undertaken in large part due to sustained engagement by the United States over the past few years.

Persons guilty of sexual misconduct must be held accountable. While the U.N. can conduct administrative procedures and waive immunity for its own civilian employees, many nations which host peacekeeping operations do not have sufficient capacity to provide for fair trials or acceptable standards of confinement, which makes local prosecution problematic. In addition, different procedures apply for military and police personnel, as often do the laws of the host country and the sending country. The U.N. can request a sending country to investigate and hold accountable its military personnel under their national laws, but the U.N.'s authority is limited to ordering repatriation of a soldier and requesting the troop contributing country report on actions taken to discipline its personnel. In 2011, in an important step forward, the General Assembly adopted a U.S. proposal to withhold reimbursement to troop-contributing countries for military contingent personnel repatriated for disciplinary reasons, including violation of the zero-tolerance policy for SEA.

If confirmed, I will continue to work with the United Nations and member states. I view pressing for ending impunity for U.N. officials as particularly important, as well as taking the steps needed to ensure that the U.N.'s database can effectively prevent previous offenders from serving again in the U.N. system, in any capacity.

Question. The United Nations Human Rights Council has the authority to establish mandates to monitor, advise, and report to the Council on human rights issues with respect to specifically identified countries. The Special Rapporteurs who govern these mandates are authorized to investigate and report to the UNHRC on alleged human rights violations or abuses. The United States has every reason to expect the Special Rapporteurs to carry out their functions in a professional and impartial manner. Yet the U.N. does not have a process or system to provide transparency and ensure accountability for these rapporteurs and other special mandate holders' poor performance, abuse of their position, or gross impartiality.

- If confirmed, would you support steps to bring greater transparency, accountability, and professionalism to the position of Special Rapporteur? For example, would it make sense to establish processes for dismissing Special Rapporteurs who repeatedly violate the code of conduct, engage in serious personal misconduct, or provide evidence that their impartiality is gravely compromised or otherwise seriously harms the trust they enjoy of all stakeholders?
- Would you support increased transparency on resources budgeted and expended in support of the mandate?
- Would you consider leading an effort to require Special Rapporteurs to disclose all sources of funding or other compensation received?

Answer. There are just under 50 different thematic and country specific U.N. Special Procedures, which include U.N. Special Rapporteurs, Independent Experts, Commissions of Inquiry, and Working Groups. While the effectiveness of these mandates depends greatly on the mandate holder, at their best these independent experts raise and maintain critical human rights issues on the international agenda, including gross violations of human rights by countries such as Syria and Iran, and often conduct important fact finding country visits.

While we do not always agree with specific Special Procedures, we greatly respect their independence and the overall importance of their work. It is essential that they maintain their independent voices, as some nations with poor human rights records regularly engage in attempts to undermine and weaken mandate holders, especially those who heavily scrutinize the records of human rights abusers. We work with mandate holders who are under attack from abusive states, such as the Iran Special Rapporteur, to ensure their ability to work independently.

The United States regularly consults with the special procedures mandate holders, and we scrutinize their work through their regular reports. We also take advantage of the regular interactive dialogues to press them on their methodology, operations, and the specific findings of their investigations; convey our views on those issues; and recommend topics for future inquiry.

I agree that Special Procedures are discredited and counterproductive when used for political purposes. One notorious and deeply disturbing example is the biased and discredited United Nations Special Rapporteur on "the situation of human rights in the Palestinian territories," Richard Falk, who undermines the credibility of the Special Procedures and the Human Rights Council—thus hampering the promotion and protection of human rights. The United States has repeatedly condemned Falk for his despicable and offensive statements, as has U.N. Secretary General Ban Ki-moon. Earlier this year, Falk sought to blame the terrorist bombings in Boston on U.S. foreign policy and on Israel. Falk also called for a watchdog NGO to be stripped of its U.N. observer status after the group rightly criticized Falk's repeated biased and anti-Israel remarks, including Falk's publishing of a clearly anti-Semitic cartoon on his blog and his repeated assertions of an equivalence between Israeli actions toward the Palestinians and the Holocaust.

That said, as a member of the Human Rights Council the United States is well placed to engage in efforts to strengthen the effectiveness of the Special Procedure mechanisms, and we will continue to work with other countries and the mandate holders themselves to do so. In 2014, more than one-third of all Special Procedures mandate holders (including the Special Rapporteur on the situation of human rights in the Palestinian territories) will reach their maximum term to serve and will need to be replaced. The United States will seize this opportunity to seek and support qualified candidates and will work with the Office of the High Commissioner for Human Rights and the HRC President to fill these positions.

Question. The Gingrich-Mitchell Task Force on U.N. Reform called for the U.N.'s hiring practices to increase the focus on competence over geographic considerations.

To what extent has this reform been implemented and, if confirmed, what steps will you take to ensure that competence is the first and foremost criteria in hiring decisions?

Answer. The United States is a strong proponent for reform of the U.N. Human Resources Management system. Over the past 8 years, the United States has advocated for reforms that facilitated recruiting highly skilled staff in a timely manner, while promoting top performers, getting rid of underperformers, encouraging mobility, and providing professional development to ensure continued excellence.

In 2010, the General Assembly adopted Resolution 65/247, which called for a comprehensive review of the entire recruitment process. Since then, the Office of Human Resources Management introduced the "Long List/Short List" approach that identifies candidates with the highest qualifications. They also developed a roster system that compiles the credentials of highly qualified, prescreened candidates to facilitate swift placement.

The United States has also been a strong advocate for the rigorous implementation of a comprehensive performance management system. The administration believes it is important that the U.N. strengthen the link between performance and career progression, in particular for those staff members in managerial positions.

Over the next few years, a large number of U.N. Secretariat staff members will retire. This turnover is an opportunity to reshape and streamline the U.N. by demanding a thorough review of staffing needs of the organization. The administration will support efforts to eliminate those positions that no longer contribute to the strategic objectives of the organization, as well as plans to combat "grade inflation" by ensuring the adequate classification of vacant positions.

This also is an opportunity to ensure that highly qualified Americans are employed in the United Nations. As part of the administration's strategic approach to fill key positions at the United Nations, the United States has taken a proactive approach by focusing on positions where the U.S. Government could make the strongest contributions and by conducting its own targeted recruitment of exceptionally qualified U.S. candidates.

Question. With respect to U.N. professional compensation, do you support the principle that U.N. compensation should not exceed equivalent U.S. civil service salaries? If so, what do you plan to do to ensure this principle is observed?

Answer. As the United States Government undertakes an austere fiscal diet, including staff furloughs and other cutbacks, it is important we send a message to the U.N. that salaries and other expenses must be controlled. This is key to ensuring that the overall U.N. budget is in line with the new realities.

The United Nations sets salaries for professional staff according to the Noblemaire Principle, which states that compensation should be set high enough to attract nationals from all member states, including those member states with the highest paid national civil service employees. Since its inception, the U.N. has based salaries for professional employees on the U.S. civil service scale. In 1985, the U.N. General Assembly decided, with agreement from the Reagan administration that average U.N. net salaries should fall within 110 to 120 percent of average U.S. civil service net salaries.

While the United States has joined consensus a number of times since 1985 on maintaining the current margin system, this administration has been vocal about the need for greater clarity in the methodology used by the International Civil Service Commission (ICSC). The Department of State readily accepted the Government Accountability Office (GAO) recommendation in its recent report, "U.N. COMPENSATION: United Nations Should Clarify the Process and Assumptions Underlying Secretariat Professional Salaries," which requested that the U.S. Mission to the U.N. request that the ICSC clarify the methodology and assumptions used to calculate the margin between U.S. civil service and U.N. Secretariat staff salaries and to make this information available to member states.

The administration was pleased that GAO was conducting a follow-on study because, in actuality, the total U.N. compensation package includes salaries, locality pay, benefits, and allowances. It is important to determine whether the U.N.'s compensation package in its entirety is more generous than the U.S. civil service package. This study coincides with the administration's successful request for the ICSC to conduct its own comprehensive review of U.N. compensation and the methodology used. The administration will continue to push for the ongoing ICSC comprehensive review of U.N. compensation and use the findings of GAO as an opportunity to review the various components of the U.N. compensation package and to seek ways to streamline the current system.

Question. The international community, including the UNSC, has imposed broad and far-reaching sanctions on North Korea for its illicit nuclear, missile, and proliferation-related activities. Yet the record of member state implementation and enforcement of these sanctions remains mixed.

- If confirmed, what actions will you undertake to ensure effective implementation and enforcement of sanctions to prevent North Korea's continued illicit proliferation activities?
- If confirmed, will you support continued efforts by outside experts to document sanctions loopholes and expose member states' noncompliance with UNSC resolutions on North Korea?
- Do you believe universal implementation of UNSC requirements in the context of North Korea is achievable?
- Are there additional sanctions that the United States should pursue against third countries should they fail to fully implement and enforce United Nations Security Council resolutions?
- Chinese adherence to its commitments in UNSC resolutions is especially important. If confirmed, what actions will you undertake to specifically influence or pressure China to implement and enforce existing UNSC sanctions?

Answer. North Korea's nuclear, ballistic missile, and proliferation-related activities constitute a serious threat to international peace and security and undermine the global nonproliferation regime. Shipments of arms or related material to or from North Korea, and services related to such items, would violate U.N. Security Council Resolutions 1718 and 1874, as reaffirmed this year in resolutions 2087 and 2094. These Security Council resolutions generally provide that all states shall prevent the direct or indirect transfer of weapons from their territory or by their nationals to North Korea and shall prohibit procurement of such weapons from North Korea. The administration notes that the Sanctions Committee has the ability to impose targeted sanctions (asset freeze/travel ban) on individuals and entities found to have contributed to prohibited activities or to evasion of the sanctions.

The United States also continues to work closely with China to deepen our dialogue on North Korea to achieve our shared goal of verifiable denuclearization of the Korean Peninsula in a peaceful manner. Through our discussions, the administration will continue to encourage China to leverage more effectively its unique relationship with the DPRK. Chinese officials have made clear their concerns about North Korea's destabilizing and provocative behavior and their commitment to the denuclearization of the Korean Peninsula.

The administration worked closely with China in the adoption of U.N. Security Council resolutions 2087 and 2094, which imposed strong new sanctions on North Korea. Chinese officials have stated publicly that China is committed to strict implementation of UNSC sanctions. It is a key priority in our bilateral relationship with China for the administration to work with China on enforcement of all relevant DPRK-related UNSCRs and to address North Korea's threats to regional peace and security and the global nonproliferation regime.

The United States will continue to work closely with all U.N. member states to ensure the full and transparent implementation of U.N. Security Council resolutions concerning North Korea. This will make it harder for the DPRK to acquire the technology, know-how, and funds to develop its nuclear and ballistic missile programs, which the international community has repeatedly condemned. The administration will likewise continue to exercise our national authorities, where and when appropriate, to impede Pyongyang's nuclear, ballistic missile, and proliferation-related activities.

Question. A United Nations Commission of Inquiry recently convened to investigate and document North Korea's "grave, systematic, and widespread" human rights abuses.

- If confirmed, will you commit the full resources of the U.S. mission to assist the efforts of the Commission? If confirmed, how will you use your position to highlight the deplorable human rights situation in North Korea? Can the United States do more to assist North Korean refugees, and if so, what?

Answer. As I said in my opening comments, if confirmed, standing up for human rights and human dignity will be one of my priorities as U.N. Ambassador. The human rights situation in the DPRK remains deplorable. The DPRK is one of the world's most systematic abusers of human rights. The State Department's annual "Country Reports on Human Rights Practices" details the breadth and depth of the government's human rights abuses. The human rights situation in the DPRK is addressed every year at the U.N. Human Rights Council (HRC) and in the U.N. General Assembly Third Committee and U.S. officials use their voice in these

venues and beyond to highlight the horrible conditions in the DPRK. At the March 2013 HRC session, the United States worked closely with Japan, the European Union, and the Republic of Korea (ROK), among others, to cosponsor a resolution that established a Commission of Inquiry (COI) to investigate the grave, widespread, and systematic human rights violations in North Korea. The resolution's adoption by consensus illustrated the extent to which the international community shares the concerns voiced repeatedly by the United States and others on the Council. The COI, led by Michael Kirby (Australia), and including Sonja Biserko (Serbia) and Marzuki Darusman (Indonesia), began its work on July 1.

The COI will build on the important work by the Special Rapporteur on the situation of human rights in the DPRK, Marzuki Darusman, who has provided insightful and detailed reporting on the human rights situation despite the DPRK Government's refusal to grant him access to the country. The Special Rapporteur, whose mandate the United States has consistently supported, has provided an important monitoring function, reporting to the U.N. Human Rights Council every March as well as to the U.N. General Assembly every fall. The United States takes the opportunity of the interactive dialogue with the Special Rapporteur to express our concerns about human rights in the DPRK.

The United States will continue to work with partners at the Human Rights Council to support the COI in its important work, and looks forward to the COI's interim report to the Human Rights Council in September and its full report of its findings to the HRC in March 2014.

Ensuring the well-being of North Korean refugees and asylum seekers is also very important. If confirmed as Ambassador, I will ensure that we continue to work with other countries in the region and our international organizations, including the U.N. Human Rights Council and the U.N. High Commissioner for Refugees, to raise attention to the deplorable human rights conditions in the DPRK and to cooperate in the protection of partners, especially South Korea, on the issue of North Korean refugees and asylum seekers. We will continue to urge all countries in the region to act in conformity with the 1951 U.N. Convention Relating to the Status of Refugees and its 1976 Protocol.

I would welcome any additional ideas you have on how we might raise the profile of the human rights crisis in the DPRK.

RESPONSES OF SAMANTHA POWER TO QUESTIONS SUBMITTED
BY SENATOR BENJAMIN L. CARDIN

Question. Thank you for your thoughtful answers to the many questions my colleagues and I have raised regarding Israel today and during our private meeting. As you know, U.S. support for Israel within the United Nations is critically important to our foreign policy and national security priorities. As I mentioned during our private meeting a few weeks ago, I greatly appreciate the constant efforts by you and the President to defend Israel at the United Nations and other international bodies. Yet I am discouraged that, as you noted during your testimony, Israel continues to be singled out at every opportunity by U.N. member states. As you stated, many close allies and aid recipients blindly support anti-Israel resolutions in the General Assembly and various U.N. bodies.

- If confirmed, how would you leverage our bilateral relationships with specific countries, particularly African and Asian partner countries and U.S. aid recipients, to reduce hostile activities aimed at delegitimizing Israel at the United Nations?
- In your opinion, how can the United States promote Israel's fair treatment with the professional staff of the U.N., the Secretary General and the heads of individual agencies? Do you believe such engagement is necessary?
- What can be done to more effectively push for structural changes to eliminate the institutional bias against Israel?

Answer. If confirmed, I will continue the administration's efforts to normalize Israel's status at the United Nations, including vigorously opposing one-sided, biased resolutions, fighting any efforts to delegitimize Israel, and supporting Israel's positive engagement with the United Nations.

In addition, I will make clear the administration's position that one-sided actions in international fora will not advance the aspirations of the Palestinian people. I believe that such actions at the U.N. will make it harder to achieve progress toward Middle East peace, possibly driving the parties further apart, heightening the risk of violence on the ground that could claim innocent lives on both sides, and risking hard-won progress in building Palestinian institutions.

U.S. officials meet regularly with host governments and U.N. officials to make known our opposition to unfair and biased resolutions that directly or indirectly target Israel. I will engage with my counterparts in New York from all regions, including Africa and Asia, and urge them to put a stop to efforts to delegitimize Israel in the U.N. system. The United States consistently opposes any texts or actions that criticize Israel unfairly in any U.N. body or specialized agency, and I will maintain that position.

If confirmed, I will also explore new opportunities for Israel to engage in the U.N., whether it is supporting the participation and selection of Israelis for leadership roles in U.N. programs and agencies, or backing Israeli initiatives at the General Assembly, like this year's entrepreneurship resolution. Israel was elected to the Executive Board of the U.N. Development Programme in 2012 and will serve on the board of UNICEF in 2013. The United States will continue to support efforts to expand Israel's participation in an important negotiating group in New York and Geneva (WEOG) to enhance Israeli participation in the U.N. system. Israel's candidacy for a seat on the U.N. Security Council for the 2019–2020 term—which the United States strongly supports—is based on its membership in WEOG.

Question. Maritime disputes in the East and South China Seas have caused increased tensions and considerable friction among East Asian countries. Secretaries Hagel and Kerry have both emphasized the need for bilateral and multilateral dialogue and peaceful dispute resolution mechanisms within ASEAN.

- If confirmed, would you be willing to facilitate a meeting of the relevant East Asian country representatives, and Members of Congress, in New York to discuss options for the peaceful resolution of maritime disputes in the East China Sea and South China Sea?

Answer. I agree that the peaceful resolution of maritime disputes in the East China Sea and South China Sea must be a priority. U.S. officials regularly discuss this issue with relevant countries, and if confirmed, I would support those efforts in my meetings with representatives from other diplomatic missions. I would also look forward to having Members of Congress visit the U.N. to participate in discussions on this topic or any other topic of interest and concern.

Question. During your long and distinguished career as a human rights champion, you served on the Board of the U.S. Committee for Human Rights in North Korea. The issue of North Korea's nuclear program is rightfully on the U.N. Security Council's agenda. The country's atrocious record of human rights abuse and crimes against humanity, however, are rarely addressed or invoked there.

- If confirmed, do you pledge to publicly raise the North Korean regime's human rights violations?
- Do you believe that in addition to demands on the nuclear program, the United States should routinely make demands to North Korea that it undertakes reform, close its gulags, and end the systematic repression and starvation of its population?

Answer. As I said in my opening comments, if confirmed, standing up for human rights and human dignity will be one of my priorities as Ambassador to the United Nations. The human rights situation in the DPRK remains deplorable. The DPRK is one of the world's most systematic abusers of human rights. The State Department's annual "Country Reports on Human Rights Practices" details the breadth and depth of the government's human rights abuses. The human rights situation in the DPRK is addressed every year at the U.N. Human Rights Council (HRC) and in the U.N. General Assembly Third Committee and U.S. officials use their voice in these venues and beyond to highlight the horrible conditions in the DPRK. The United States calls on the DPRK to close its gulags, and end systematic repression and the starvation of its population. At the March 2013 HRC session, the United States worked closely with Japan, the European Union, and the Republic of Korea (ROK), among others, to cosponsor a resolution that established a Commission of Inquiry (COI) to investigate the grave, widespread, and systematic human rights violations in North Korea. The resolution was adopted by consensus, illustrating the extent to which the international community shares the concerns voiced repeatedly by the United States and others on the Council. The COI, led by Michael Kirby (Australia), and including Sonja Biserko (Serbia) and Marzuki Darusman (Indonesia), began its work on July 1.

The COI will build on the important work by the Special Rapporteur on the situation of human rights in the DPRK, Marzuki Darusman, who has provided insightful and detailed reporting on the human rights situation despite the DPRK Government's refusal to grant him access to the country. The Special Rapporteur, whose mandate the United States has consistently supported, has provided an important

monitoring function, reporting to the U.N. Human Rights Council every March as well as to the U.N. General Assembly every fall. The United States takes the opportunity of the interactive dialogue with the Special Rapporteur to express our concerns about human rights in North Korea.

The United States will continue to work with partners at the Human Rights Council to support the COI in its important work, and looks forward to the COI's interim report to the Human Rights Council in September and its full report of its findings to the HRC in March 2014.

Ensuring the well-being of North Korean refugees and asylum seekers is also very important. If confirmed as Ambassador, I will ensure that we continue to work with other countries in the region and our international organizations, including the U.N. Human Rights Council and the U.N. High Commissioner for Refugees, to raise attention to the deplorable human rights conditions in the DPRK and to cooperate in the protection of partners, especially South Korea, on the issue of North Korean refugees and asylum seekers. If confirmed, I would continue to urge all countries in the region to act in conformity with the 1951 U.N. Convention Relating to the Status of Refugees and its 1976 Protocol.

I would welcome any additional ideas you have on how we might raise the profile of the human rights crisis in the DPRK.

Question. In your last position, one of your main responsibilities was promoting human rights as part of U.S. foreign policy. Highlighting human rights issues in China is one of the most contentious parts of the United States-China relationship; many critics have said that the U.S. Government soft pedals on human rights in China at the expense of other political and economic concerns.

- If confirmed, how will you use your position to promote human rights in China? Will you ensure that China's human rights problems are not made secondary to other issues?
- How will you use China's candidacy to the U.N. Human Rights Council in Geneva—which requires a U.N. General Assembly vote—to highlight and raise international concerns with China's human rights record?

Answer. Promoting human rights—including the fundamental freedoms of religion, expression, assembly, and association—is a central objective of U.S. foreign policy around the world, including with China. In my opening statement, I highlighted standing up for human rights and human dignity as one my priorities, if I am confirmed as Ambassador to the United Nations. The United States has consistently pressed the Chinese Government in senior-level meetings and dialogues, including during the Human Rights Dialogue, to improve its human rights record. If confirmed, I will emphasize to the Chinese that the deterioration of the human rights situation in China inevitably affects the overall bilateral relationship and harms China's own pursuit of stability and prosperity I will raise publicly and privately human rights concerns, while pursuing practical engagement with China on a range of human rights-related issues, such as the benefits of legal reform and a more robust rule of law. I would welcome additional ideas from you as to how to advance the case of human rights in China.

The Obama administration has consistently urged the Chinese leadership to address the counterproductive policies that contribute to tensions and violence in Tibet and the Uighur areas, and pressed for a substantive dialogue with the Dalai Lama or his representatives, without preconditions.

In addition to high-level bilateral dialogues, the United States uses every appropriate opportunity to highlight China's human rights record in multilateral fora, including regularly raising China's human rights abuses during the Item 4 intervention the United States delivers at the Human Rights Council (HRC).

One useful vehicle for taking up this case is the Universal Periodic Review (UPR) process of the Human Rights Council. In China's previous UPR in 2009, participants highlighted repression of religious and other minorities, harassment and detention of human rights defenders, and the use of "re-education through labor." As it does for all states undergoing review, the United States will make a statement highlighting key human rights concerns and recommendations for improvement during China's upcoming review in October, ahead of the elections for the Human Rights Council, expected in November.

RESPONSES OF SAMANTHA POWER TO QUESTIONS SUBMITTED
BY SENATOR MARCO RUBIO

Question. On July 16, Panamanian authorities intercepted an illegal arms shipment from Cuba to North Korea. Cuba's actions violate at least three United Nations Security Resolutions.

- Given North Korea's record of proliferation of weapons technologies to other state sponsors of terrorism such as Syria and Iran, doesn't this latest case make clear once again that North Korea should be relisted as a state sponsor of terrorism?
- What actions will the United States take at the United Nations as a result of Cuba's violation of U.N. Security Council resolutions regarding trade of prohibited items with North Korea?

Answer. As a matter of law, in order for any country to be designated as a State Sponsor of Terrorism, the Secretary of State must determine that the government of that country has repeatedly provided support for acts of international terrorism. The administration makes these designations after careful review of all available evidence to determine if a country meets the statutory criteria for designation.

Even without being designated as a state sponsor of terrorism, North Korea remains among the most heavily sanctioned of any country in the world based on its announced nuclear detonations, ballistic missile activity, proliferation activities, human rights violations, and status as a Communist state. North Korea has also been subject to sanctions under multiple U.N. Security Council resolutions for its ongoing nuclear and ballistic-missile related activities, which constitute a clear threat to international peace. In January 2013, the U.N. Security Council adopted UNSCR 2087 (2013), condemning North Korea's December 2012 satellite launch, which used prohibited ballistic missile technology, and on March 7, 2013, the U.N. Security Council unanimously adopted UNSCR 2094, condemning North Korea's February 12, 2013, nuclear test and imposing significant new sanctions under Chapter VII of the U.N. Charter.

The administration has commended Panama for the recent actions it has taken to implement relevant U.N. Security Council resolutions with regard to the North Korean ship *Chong Chon Gang*. The United States will work closely with the Government of Panama, which has requested our assistance and the administration intends to provide assistance as best it can.

North Korea's nuclear, ballistic missile, and proliferation-related activities constitute a serious threat to international peace and security and undermine the global nonproliferation regime. Shipments of arms or related material to or from North Korea, and services related to such items, would violate U.N. Security Council Resolutions 1718 and 1874, as reaffirmed this year in Resolutions 2087 and 2094. These Security Council resolutions generally provide that all states shall prevent the direct or indirect transfer of weapons from their territory or by their nationals to North Korea and shall prohibit procurement of such weapons from North Korea.

Panama has informed the U.N. Security Council DPRK Sanctions Committee of the incident and has invited the Panel of Experts, which assists the United Nations Security Council North Korea Sanctions Committee, to conduct an investigation.

Panama's actions regarding the Sanctions Committee as well as requesting the involvement of the Panel of Experts will help clarify the involvement of the Government of Cuba with this issue. The administration hopes that the Sanctions Committee, with the support of the Panel of Experts, will investigate this case thoroughly, identify parties responsible and recommend actions to be taken in response. The administration notes that the Sanctions Committee has the ability to impose targeted sanctions (asset freeze/travel ban) on individuals and entities found to have contributed to prohibited activities or to evasion of the sanctions. The administration will look at all possibilities regarding appropriate actions once the Committee and Panel complete their work. The administration will keep you and your staff informed of progress and would welcome your recommendations on next steps.

The United States will continue to work closely with all U.N. member states to ensure the full and transparent implementation of U.N. Security Council resolutions concerning North Korea. This will make it harder for DPRK to acquire the technology, know-how, and funds to develop its nuclear and ballistic missile programs, which the international community has repeatedly condemned. The administration will likewise continue to exercise our national authorities, where and when appropriate, to impede Pyongyang's nuclear, ballistic missile, and proliferation-related activities.

Question. The National Security Staff at the White House is reportedly looking at ways to delist Cuba as a state sponsor of terrorism. Reports from July 16, 2013,

clearly show Cuba's collusion with North Korea on weapons transfers. Additionally we already know that Cuba continues to provide safe haven to terrorist groups such as ELN and the FARC.

- Do you agree that it only makes sense to retain Cuba on the list of state sponsors of terrorism?

Answer. The Reagan administration designated Cuba as a state sponsor of terrorism in 1982 due to its repeated provision of support for acts of international terrorism. After a designation is made, it remains in place until rescinded in accordance with the relevant statutes. The Department has no current plans to remove Cuba from the state sponsors of terrorism list. I support Department policy.

The administration has commended Panama for the recent actions it has taken to implement relevant U.N. Security Council resolutions with regard to the North Korean ship *Chong Chon Gang*. The United States will work closely with the Government of Panama, which has requested our assistance and the administration intends to provide assistance as best it can. Panama has informed the U.N. Security Council DPRK Sanctions Committee of the incident and has invited the Panel of Experts, which assists the United Nations Security Council North Korea Sanctions Committee, to conduct an investigation. Panama's actions regarding the Sanctions Committee as well as requesting the involvement of the Panel of Experts will help clarify the involvement of the Government of Cuba with this issue.

Question. I believe that we should immediately cease granting people-to-people licenses for travel to Cuba because of this latest evidence of collusion with North Korea. How can this administration advocate for relaxing policies with regard to the Cuban regime considering their support for illegal weapons transfers to North Korea? Is the President prepared to immediately halt all people-to-people programs to Cuba?

Answer. If confirmed as Ambassador to the United Nations, I will stand up for human rights and human dignity. As I indicated in my opening statement, I intend to draw attention to the crackdown on civil society in several countries, including Cuba.

The administration believes U.S. citizens are the best ambassadors of American values and that well-defined, purposeful travel that appropriately expands religious, cultural, and educational connections between Cubans and Americans allows Cubans to experience the freedom of association and expression they have too long been denied.

Regulations regarding such travel have been intentionally structured to maximize the benefits to, and contact with, the Cuban people.

Question. Will you support efforts to get the United Nations to increasingly rely on voluntary contributions to fund its regular budget?

Answer. In these tough times, when American taxpayers are scrutinizing their budgets, we need to do the same. I share your concern about the historical growth in the U.N. budget and increase in our share of the peacekeeping assessment. We have to be zealous in our scrutiny of every program and every initiative that the American people are helping to support through their generosity.

We have had significant success over the last 4 years on a U.N. reform agenda—building on some of the work done by our predecessors. We have sought reductions in the peacekeeping budget of over \$500 million.

The United States and other major contributors to the United Nations have been working very hard to limit growth in the U.N. regular budget. The administration has been successful in keeping the 2012–2013 budget level below the level of the 2010–2011 budget, marking only the second time in 50 years that the U.N. regular budget decreased from the previous biennium.

Assessed contributions ensure a shared financial responsibility among all U.N. member states and provide a stable and predictable funding source needed to enable the United Nations to address a wide array of global challenges.

A voluntary approach to funding would undercut U.S. arguments for burden-sharing in areas where the United States has strong national interests, such as peacekeeping and the special political missions in Iraq and Afghanistan. In addition to this, a voluntary approach would likely result in an overreliance on a handful of member states with the United States paying a greater share of the costs.

Question. Do you agree that the most effective tool we have in getting the United Nations to become more effective and transparent is to condition our financial contributions on specific reform metrics?

Answer. We must seek reforms across the U.N. system to guarantee our financial contributions are spent effectively. The best metric is a well-run cost-efficient

United Nations. By contrast, successive administrations—Republican and Democratic—have argued against conditioning U.S. contributions to the U.N., because the U.S. Government experience has been that the United States has diminished our leverage for reform when we are not inside. For example, when we were in arrears, even our closest allies were less willing to cooperate with us, including on reform issues. In 1996, our candidate to the Advisory Committee on Administrative and Budgetary Questions (ACABQ)—an important body that scrubs U.N. budgets and advises on management issues—suffered an embarrassing defeat (receiving only 55 of 173 votes) in a rebuke over U.S. arrears.

By contrast, we have seen significant reforms achieved by robust, long-term, sustained engagement. These include: the establishment of the Office of Internal Oversight Services, the U.N. Independent Audit Advisory Committee, and the U.N. Ethics Office; advancement in U.N. transparency efforts by making the Office of Internal Oversight Services' internal audit reports publicly available; reforms to the current U.N. air travel policy that put in place common sense restrictions on use of business class travel and abolishment of several unnecessary and costly reimbursement practices; and improvements to U.N. human resources policies, including a pay freeze and right-sizing exercise pending the outcome of comprehensive reviews of staff needs and compensation and enhancements to performance management and management accountability.

Question. Given that several notorious human rights abusers (as is the case with Iran and Syria currently), perennially try to run for seats on the Council, do you agree that the United States should make its participation in the Council contingent upon certain standards for membership?

Answer. United States engagement in the U.N. Human Rights Council (HRC) has resulted in real progress in promoting and protecting human rights globally. U.S. reelection to the HRC last year—with the highest number of votes among its five Western competitors—was a clear indication that the rest of the world views U.S. leadership on the HRC as crucial. Though hard to measure, we also believe the good will generated by our principled engagements has enhanced U.S. standing as a human rights leader beyond the Council.

The United States remains concerned that countries with poor human rights records continue to be elected to seats on the HRC. The U.N. General Assembly, which elects members of the HRC by secret ballot, is supposed to elect only members that “uphold the highest standards in the promotion and protection of human rights.” The United States actively seeks to positively influence the elections both by encouraging countries with strong human rights records to seek seats and by encouraging competitive elections for the HRC.

The United States has also worked behind the scenes with other countries to oppose the election of some of the worst human rights violators to the Human Rights Council and other important global bodies and will continue to do so. As you may know, a relentless diplomatic campaign by the United States helped keep Syria, Iran, and Sudan from becoming members in the recent past.

We agree it should not take this kind of effort to keep countries in regional blocs from voting for bad actors. But we pledge to fight aggressively such disturbing campaigns which undermine the Council and the broader human rights agenda.

U.S. membership and leadership are critical to improving the Council's performance, and we recognize that a lot of hard work lies ahead.

Question. In the last session of the United Nations General Assembly, 131 countries—out of 193 member states—voted against the United States position on more than 50 percent of the rollcall votes. Among these 131 countries are several recipients of considerable amounts of U.S. foreign assistance.

- Do you agree that a country's voting pattern at the United Nations should be a factor in determining levels of U.S. foreign assistance?

Answer. A country's voting record at the United Nations is always relevant to its bilateral relationship with the United States. The administration references U.N. voting in our bilateral discussions at all levels, and we believe that member states should be held accountable for votes we deem problematic.

Obviously, there are a range of factors that go into our assessment of the bilateral relationship and divergent votes are just one dimension of a country's relations with the United States. We should consider the full range of economic, strategic, and political factors when considering how to utilize our foreign assistance.

Question. In late 2000, the U.N. agreed to lower the U.S. peacekeeping assessment to 25 percent of its total budget. However, in the most recent U.N. Budget (2013–2015) the U.S. share of the peacekeeping budget will rise to 28.4 percent.

- Do you agree that the United States should seek to reverse this trend and lower the U.S. share of the peacekeeping budget to 27 percent?
- What specific steps can you pledge to take to reverse this increase in the U.S. share of the U.N. peacekeeping budget?

Answer. The United States will work over the next 2 years to try to achieve reforms in the U.N. scales of assessment methodology to more equitably distribute the U.N. budget, in advance of the General Assembly's next review of the scales of assessment in 2015. The United States believes that emerging power—including China, India, Brazil, and Turkey—need to pay their fair share of the U.N. budget.

Although the latest scale of assessments included notable increases for several countries, including China and Russia, the methodology used to calculate each country's share needs to be streamlined and updated. If confirmed, I will work to address the scales in the context of a broader U.N. reform agenda, identify alternative methodologies for the scales of assessments that properly reflect capacity to pay, and work closely with other major financial contributors to ensure their support for our efforts.

Question. Do you support the creation of an inspector general to investigate and audit the use of U.S. contributions to the United Nations?

Answer. Strong oversight is important, which is why the United States has consistently pushed for credible external and internal audit functions at all U.N. organizations. The United States has great confidence in the quality and integrity of the National Audit Offices serving as the external auditors of U.N. organizations, which functions like a U.S. Government IG. The external auditors examine the financial statements and accounts of U.N. organizations. This arrangement avoids duplication of effort and assures that the external auditors are accountable to the entire membership.

If confirmed, I would support efforts to assure that U.N. internal auditors have adequate resources and independence to carry out their oversight responsibilities.

Question. Do you agree that the United States should condition its contributions to the United Nations on certification that no U.N. agency or affiliated agencies grants any official status, accreditation, or recognition to any organization which promotes or condones anti-Semitism?

Answer. Anti-Semitism is a scourge that cannot be tolerated. Our special envoy to combat anti-Semitism uses all means and venues to make sure it is stamped out. The United States is steadfast in combating all forms of anti-Semitism, and actively works to prevent the United Nations from being used as a platform for any hate speech. For example, the United States has continued its opposition to the Durban Declaration and Programme of Action (DDPA) in all U.N. venues given concern about anti-Israel references, as well as language that calls for undue restrictions on freedom of expression. Our diplomats have staged walkout during the presentations by Iranian President Ahmadinejad or other leaders who spew anti-Semitic hate. At the U.N. Human Rights Council (HRC), the U.S. delegation calls points of order if any delegations use anti-Semitic language, including terms such as "blood libel." Senior government officials, including now-National Security Advisor Ambassador Susan E. Rice and Ambassador Eileen Donahoe (HRC) have stated publicly several times that Richard Falk is not fit to serve as a U.N. special rapporteur given his past anti-Semitic remarks.

If confirmed, I will join these public condemnations. If confirmed as Ambassador to the United Nations, I would continue to stand up to every effort that seeks to delegitimize Israel or undermine its security.

Question. Last year, 19 out of 78 rollcall votes at the General Assembly, involved the condemnation of Israel. Do you agree that this represents a disproportionate focus on Israel? If so, what practical measures would you, if confirmed, take to significantly reduce or end this practice?

Answer. I agree that the U.N. General Assembly disproportionately focuses on Israel. As I said in my testimony, "Israel's legitimacy should be beyond dispute, and its security must be beyond doubt. Just as I have done the last 4 years as President Obama's U.N. adviser at the White House, I will stand up for Israel and work tirelessly to defend it."

If confirmed, I will continue the administration's efforts to normalize Israel's status at the United Nations, including vigorously opposing one-sided, biased resolutions, fighting any efforts to delegitimize Israel, and supporting Israel's positive engagement with the United Nations.

U.S. officials meet regularly with host governments and U.N. officials to make known our opposition to unfair and biased resolutions that directly or indirectly

target Israel. We repeat this message in capitals and in Geneva. The United States consistently opposes any texts or actions that criticize Israel unfairly in any U.N. body or specialized agency, and I will maintain that position.

If confirmed, just as I did as President Obama's U.N. adviser, I would take every opportunity to make clear the administration's position that one-sided actions in international fora will not advance the aspirations of the Palestinian people. We make the costs of unilateral action clear to the Palestinians and to those who have supported counterproductive unilateral action in the United Nations. I believe that such actions at the U.N. will make it harder to achieve progress toward Middle East peace, possibly driving the parties further apart, heightening the risk of violence on the ground that could claim innocent lives on both sides, and risking hard-won progress in building Palestinian institutions.

U.S. officials meet regularly with host governments and U.N. officials to make known our opposition to unfair and biased resolutions that directly or indirectly target Israel. The United States consistently opposes any texts or actions that criticize Israel unfairly in any U.N. body or specialized agency, and I will maintain that position.

If confirmed, I will also explore new opportunities for Israel to engage in the United Nations, whether it is supporting the participation and selection of Israelis for leadership roles in U.N. programs and agencies, or backing Israeli initiatives at the General Assembly, like this year's entrepreneurship resolution. Israel was elected to the Executive Board of the U.N. Development Programme in 2012 and will serve on the board of UNICEF in 2013. The United States will continue to support efforts to expand Israel's participation in an important negotiating group in New York and Geneva (WEOG) to enhance Israeli participation in the U.N. system. Israel's candidacy for a seat on the U.N. Security Council for the 2019–2020 term—which the United States strongly supports—is based on its membership in WEOG.

Question. If confirmed, would you advocate for the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) to harmonize its definition of "refugee" with that of the U.N. Refugee Agency (UNHCR)?

Answer. The United Nations High Commissioner for Refugees (UNHCR) defines a refugee under the terms of the 1951 United Nations Convention Relating to the Status of Refugees as a person who, "owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country or return there because there is a fear of persecution"

The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), which predates the creation of UNHCR, defines a refugee for purposes of its operation as any person whose "normal place of residence was Palestine during the period 1 June 1946 to 15 May 1948 and who lost both home and means of livelihood as a result of the 1948 conflict," and descendants of fathers fulfilling those criteria.

In protracted situations of displacement, groups experience natural population growth over time. UNHCR and UNRWA both generally recognize descendants of refugees as refugees for purposes of their operations; this approach is not unique to the Palestinian context. For example, UNHCR recognizes descendants of refugees as refugees in populations including, but not limited to, the Burmese refugee population in Thailand, the Bhutanese refugee population in Nepal, the Afghan population in Pakistan, and the Somali population seeking refuge in neighboring countries.

The United States acceptance of UNRWA's method of recognizing refugees is unrelated to the final status issue of Palestinian refugees, which can only be resolved in negotiations between the parties.

Question. July 22 will mark the first anniversary of the death of Oswaldo Paya Sardiñas in a car crash in Cuba. Mr. Paya was an internationally respected member of Cuba's beleaguered democracy movement, and newly available evidence by a survivor of the crash has raised questions about the possible involvement of the Cuban regime in the crash.

- If confirmed, what measures would you take to seek a credible U.N. investigation of the circumstances surrounding Mr. Paya's death?
- Would you commit to give Mr. Paya's surviving daughter (Rosa Maria Payá) a forum at the United Nations to ask for such investigation?

Answer. I understand and agree strongly with the call the Department of State has already made for an independent investigation, with independent, international observers, into the circumstances leading to the deaths of Oswaldo Payá and Harold

Cepero, and if confirmed I will continue to support such calls and encourage other U.N. delegations to do the same. Additionally, I understand the Department of State also called for an independent investigation at the June 2013 session of the U.N. Human Rights Council.

At both the U.N. General Assembly (UNGA) in New York and the U.N. Human Rights Council (HRC) in Geneva, civil society representatives play a crucial part in highlighting human rights issues of concern. In March 2013, Ms. Paya came before the HRC to call the Council's attention to her father's tragic and untimely death.

As you know, if I am confirmed as Permanent Representative to the United Nations, I have agreed to reach out to Rosa Maria Paya to speak with her directly. I would also reach out to Assistant Secretary General for Human Rights, Ivan Simonovic, to encourage the Office of the High Commissioner for Human Rights to conduct a thorough investigation. I would like to explore any and all appropriate venues for raising the profile of this case and of the broader human rights plight of the Cuban people.

Question. If confirmed, what steps would you take to raise international attention about Cuba's poor human rights record at the General Assembly?

Answer. As I stated in my opening testimony, the United Nations must stand up for human rights and human dignity, which are American and universal values. I also spoke about the need to contest the crackdown on civil society being carried out in Cuba. If confirmed, I intend to continue to speak about this issue, including at the U.N. General Assembly and at any other appropriate venue that we identify. As it stands now, the United States uses every appropriate opportunity to highlight Cuba's human rights record in multilateral fora, including at the U.N. General Assembly. If confirmed, I will redouble these efforts. This will include diplomacy to strongly make the case to increase votes against the annual Cuban embargo resolution at the U.N. General Assembly. It will also include consulting with you, other interested Members of Congress, and Cuban advocates to come up with fresh venues and approaches to drawing attention to the dire human rights conditions inside Cuba.

Question. Has the United States response to events such as the 2009 protests in Iran after the fraudulent election of Mahmoud Ahmadinejad or to the revolutions of the Arab Spring been adequate and timely? Have we capitalized on the opportunity for fundamental change to occur in these countries that would advance U.S. interests in the long term?

Answer. The uprisings in the Arab Spring grew out of the deep longings of the people of the region for freedom, dignity, and opportunity, after decades of oppression and an illusory stability where citizen aspirations were suppressed but never addressed. Today we see many countries in the region struggling on the long, very bumpy road to democracy and stability, and the administration is deploying a range of diplomatic, economic, and other tools to support the peoples and governments of the region, as it is in the U.S. interest to see a more peaceful, democratic Middle East. Through this period the United States policy has been defined by support for three principles: nonviolence, respect for universal human rights, and meaningful political and economic reform on the road to democracy.

As you note, the first match was lit in Tehran in 2009, when millions rose up to demand democracy and protest Iran's stolen election. The United States stood with the Iranian people, voicing strong American support for those seeking to exercise their universal rights. However, the Iranian regime—terrified of the implications of a democratic movement within its borders—crushed that inspiring movement, arresting, beating, and killing peaceful oppositionists, political activists, and average Iranians who refused to have their voices ignored. This was an outrage, and the administration said so. On June 23, the President said, "The United States and the international community have been appalled and outraged by the threats, the beatings, and imprisonments of the last few days. I strongly condemn these unjust actions, and I join with the American people in mourning each and every innocent life that is lost." Over the past several years, the administration has worked in Geneva to establish and support the first-ever country-specific Special Rapporteur for Human Rights, for Iran; we have established ever-wider margins for the annual Iran human rights resolution in the General Assembly; and we continue to impose sanctions against human rights abusers, including those who use technology to commit human rights abuse. I would welcome the opportunity to consult about any additional steps we might take to support human rights in Iran.

In Libya President Obama mobilized broad international support and led a coalition to help the Libyan people rid their country of a tyrant who had made clear his intention to murder all those who opposed him and stood up for democracy. He was

also a dictator who had brought great harm to American and other innocent families. With Ghadaffi gone, the Libyan people have the opportunity to chart a new direction for their country and build their democracy. They face significant challenges in light both of the evisceration of institutions under Ghadaffi and the growth of militias and the vast quantities of arms in Libya. These challenges cannot be overstated. And it will surely take time—and support from the broader international community—for the Libyan people to build a peaceful democratic Libya, but U.S. leadership made it possible for the brave Libyan people to embark upon that journey. The United States now stands as a partner to Libyans who are investing their lives in building that future.

Egyptians, too, stand at another crossroads in their journey toward peace and democracy. There is a tremendous yearning for change and yet enormous challenges remain for the Egyptian people to move in an inclusive, rights-respecting fashion toward stability and justice. In response to the original uprising, President Obama made it clear to the Egyptian people that he respected their universal rights of protest; the administration worked behind the scenes through political and military channels to urge nonviolence against the protesters; and, with congressional support, the United States stepped in with a variety of forms of technical, democracy, and other assistance to help support Egypt as it planned and executed its first democratic elections. In a country of such strategic importance to the broader region, this support was important. Unfortunately, while the Muslim Brotherhood won Egypt's elections, millions of Egyptians had legitimate grievances with the way the Morsi government was governing, prompting large-scale popular protests. There was considerable unrest, and the potential for greater violence. U.S. officials at all levels engaged the Muslim Brotherhood in an effort to convince them to address the people's legitimate concerns, make compromises, govern in a more inclusive manner, respect human rights, and promote minority rights. Today, in the wake of recent events, it is critical that those attempting to shepherd the transition back to democracy change that dynamic by attempting to govern on behalf of all Egyptians, including those with whom they disagree. This is a message the administration is sending through all channels, including, most recently, through the very public comments by Deputy Secretary Burns in Cairo. The administration is eager to stand with the Egyptian people as they rebuild their economy and their political system so that it is truly democratic and respects human rights. Our assistance and long-standing ties with the government, the military, and the people give us a platform from which to urge them to promptly and responsibly get back on a path toward an inclusive and sustainable democracy.

Syria is the most complex and tragic of the issues confronting us, our allies and the entire Middle East. The President has put in place a multifaceted approach designed, with our international partners, to strengthen moderate elements of the opposition and bring about the too-long-awaited political transition to democracy. In addition to imposing crippling sanctions against the Assad regime, we have contributed nearly a billion dollars' worth of humanitarian aid, and critical nonlethal assistance to strengthen opposition capabilities and institutions. In addition, the President announced recently that—in response to Assad's chemical weapons use—we would provide additional forms of support to vetted units in the opposition military. We have encouraged the opposition, which has been woefully fractured, to unite so the people in Syria view them as a viable alternative. This is very much a work in progress, and nobody is satisfied with the state of events on the ground, especially as more than 100,000 Syrians have been killed and the conflict continues to destabilize the broader region.

These are just a few examples of a region in flux and tumult. The best way for us to capitalize is to continue to be engaged, understanding that the path will not be smooth nor without setbacks. We need to work with the governments and groups who represent democratic values and respect for human rights, and who understand the need to create jobs and economic opportunity. The President is committed to seeing that happen, and I am committed to supporting his efforts throughout the region.

As with all of these issues, if confirmed, I will need to rely on your thoughts and advice. As I said in my meetings and at my hearing, I cannot do this job without you.

Question. The administration has been criticized for not speaking out frequently and forcefully enough in support of democratic movements and freedom fighters over the last 5 years. How do you judge the administration's record in this area? If confirmed, how would you use your platform at the United Nations to highlight the plight of those oppressed by their governments?

Answer. Support for democracy and human rights defenders is a core American value, and the Obama administration has not shied away from speaking out for those who are seeking their universal fundamental freedoms. As I said in my opening statement, if confirmed, standing up for human rights and human dignity will be one of my priorities as Ambassador to the United Nations. I believe peoples suffering human rights violations look to the United States for leadership. And often in our history the U.S. Ambassador to the U.N. has raised a loud voice on behalf of American values and fundamental freedoms.

In his first address to the U.N. General Assembly in 2009, President Obama stated, "there are basic principles that are universal; there are certain truths which are self evident. And the United States of America will never waver in our efforts to stand up for the right of people everywhere to determine their own destiny."

President Obama firmly supported the international effort to ensure the emergence of an independent South Sudan. Likewise, U.S. leadership was key in building an international coalition to prevent a massacre of civilians in eastern Libya, and to support the Libyan people to overthrow the Qadhafi regime and begin a transition to democracy after four decades of brutal dictatorship. More broadly, in response to the Arab Spring, the United States has spoken out strongly for political change that gives citizens a greater voice in their government, for the rights of free speech and peaceful protest, and for the political participation of women and minorities.

Obviously, when fewer than half the countries in the United Nations are fully free, we cannot be satisfied. When men, women, and children are being slaughtered in Syria we cannot be satisfied. When individuals are routinely jailed, harassed, and abused for advocating for their freedoms, and when governments are cracking down on civil society around the world, we have to find fresh ways to influence governments and support freedom and those who struggle to promote it. I would welcome any further ideas you have to achieve our shared ends.

As a means to highlight their struggles and improve their situations, the United States joined more than 60 other countries in 2011 to cosponsor a resolution at the U.N. Human Rights Council renewing the mandate for the Special Rapporteur on the situation of human rights defenders. Additionally, in March 2012, the U.S. co-sponsored a resolution on the promotion and protection of human rights in the context of peaceful protests.

Question. If confirmed, as a member of the Principals Committee, what unexplored options for influencing the outcome in Syria and achieving the fall of Assad would you advocate?

Answer. I agree with the premise of your question, which is that the administration should leave no stone unturned and no option unexplored. The administration has said repeatedly that the President continues to review all options for addressing the crisis in Syria, as the situation changes on the ground. If confirmed, it will be my responsibility to contribute to that constant assessment and review of the situation and potential options for U.S. policy, given the truly outrageous situation on the ground in Syria. If confirmed, I will work with my colleagues to explore, evaluate, and reevaluate every means we might use to bring about the day when the Syrian people can be rid of Assad's tyranny, and begin to rebuild their country with a government that respects their rights and gives them the opportunity for a better future. I would also like to consult very closely with Members of the Congress who care deeply about this issue, to be sure that we are considering all variables and all options that could help influence outcomes in Syria in a manner that advances our national security interests.

Question. In an essay titled "Full Force" published by the New Republic on March 2003 you recommended "a historical reckoning with crimes committed, sponsored, or permitted by the United States." These views strike me as outside the mainstream American view of our Nation's role in the world, and I would like to give you an opportunity to clarify them.

- Which crimes do you believe have been committed by the United States that need reckoning?
- Which crimes do you believe have been sponsored by the United States that need reckoning?
- Which crimes do you believe have been permitted by the United States that need reckoning?

Answer. Thank you for the opportunity to expand on my response to your question regarding language in the 2003 New Republic article. The passage you cite does not accurately reflect my view of the United States. If I had it to do over, I would have used very different language, especially because the article itself is an extended and

passionate call for America's moral leadership in the world. Promoting American values as a pillar of our foreign policy has been the objective of everything I have written about American foreign policy. There have been times when we have failed to live up to our high standards and when American leaders of both parties have acknowledged error and changed course, often after vigorous domestic policy disagreements and sometimes at the behest of Congress. This ability of the United States to honestly explore areas of policy disagreement and move forward is a hallmark of our strength. In my testimony I cited President Clinton's discussion of his feelings about the genocide in Rwanda. I might also have cited President Reagan, who in 1988 in signing the Civil Liberties Act memorably said, "We must recognize that the internment of Japanese-Americans was just that: a mistake." Such statements help set us apart from those countries that tolerate no criticism, trample on checks and balances, and deny their people the fundamental freedoms that Americans enjoy.

If I have the privilege of representing this country at the United Nations, I will work tirelessly to protect the interests and values of the American people.

I will defend America because I am proud of America.

RESPONSES OF SAMANTHA POWER TO QUESTIONS SUBMITTED
BY SENATOR CHRISTOPHER A. COONS

Question. Mali.—The events in both Mali and Libya show how instability in one country can destabilize an entire region, and create attractive targets for extremist groups intent on harming local and American interests.

- In the case of Mali, do you think it is important for the international community to deploy U.N. peacekeepers to the north in an effort to secure the gains made by the French earlier this year?
- What effect do you think greater stability in northern Mali will have on the region as a whole?

Answer. The United States believes it is vitally important for the international community to deploy U.N. peacekeepers to consolidate the gains achieved by French forces earlier this year and to make progress in addressing the underlying causes of instability in northern Mali. Bert Koenders, Special Representative of Secretary General Ban Ki-moon and Head of the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), said: "The establishment of MINUSMA is the result of a unanimous decision of the United Nations Security Council and has reaffirmed the engagement of the international community to accompany the people of Mali in their quest for stability, peace, and prosperity."

MINUSMA has a comprehensive mandate to stabilize key northern population centers, support the political process, and contribute to strengthening Mali's institutions, which are crucial to ensuring that northern Mali is no longer hospitable to extremist and terrorist forces, whose protracted entrenchment contributed to state collapse in Bamako last March. The United Nations envisions that MINUSMA will maintain a relatively light presence in Bamako, while deploying to key northern cities, including Gao, Timbuktu, Kidal, Tessalit, and Douentza.

Greater stability in northern Mali is critical to international peace and security, and particularly, the stability of the Sahel region, which faces complex and inter-related security and governance challenges, including from al-Qaeda. If confirmed, I will work with colleagues in the United States Government, as well as the United Nations and our allies and partners, to support and implement an integrated strategy for peace and security in the Sahel.

Question. Mali.—With more than 12,600 uniformed personnel deployed to a vast and extremely difficult operating environment, it will be critical for MINUSMA to possess the resources and equipment necessary to be effective. Because of the timing of the crisis, this mission was not included in the administration's budget request.

- How would a lack of adequate U.S. funding affect MINUSMA's ability to operate and carry out its mandate?

Answer. It is essential that all U.N. peacekeeping operations have the resources they need to fulfill their mandates, which are critical to the maintenance of international peace and security.

Insufficient funding may lead to personnel and capability shortfalls in U.N. peacekeeping operations that negatively impact their ability to fulfill their mandates, undermining the effectiveness of peacekeepers and threatening the lives of both the peacekeepers and the civilians they are mandated to protect.

In the case of Mali in particular, the consequences of insufficient funding to the U.N. Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) could

undermine the recent progress and fragile peace and endanger stability in the region, which would directly damage our own national security interests.

The administration will continue to explore all available options to meet President Obama's commitment to pay our dues on time and in full, consulting closely with Congress on the appropriate way forward.

Question. Peacekeeping operations are now being termed "stabilization operations" in DRC and Mali, and being asked to use force and undertake roles and responsibilities that far outstrip existing U.N. military doctrine, training, capacity (e.g., intelligence and command and control), not to mention civilian capacity. The United States authorized these mandates.

- How will you ensure that new iterations of peace operations do not make the United Nations more vulnerable to belligerent threats or increase risks to civilians that peacekeepers are mandated to protect?
- How do you view this new mandate, and the supply of unmanned aerial vehicles, impacting the situation in the DRC specifically?

Answer. The world is more dangerous, and the challenges and threats to peacekeepers more acute than they were 30 or 40 years ago. While the fundamentals of U.N. peacekeeping remain unchanged—such as the use of force only in self-defense or in defense of the mandate—the circumstances in which peacekeepers are needed today are often far more complex and challenging than traditional operations implementing a peace agreement between two warring states. Instead, they are often needed to help protect civilians and build peace in fragile states facing armed groups and other spoilers to the peace, as in Mali and Congo. Al-Qaeda and its affiliates have also targeted U.N. personnel on numerous occasions. To operate in such challenging environments, U.N. personnel require a wide range of military, police, and civilian skills and capacity, as well as adequate security.

The United States helps to build this capacity by actively supporting the U.N.'s development of modern doctrine, guidance, and training, and by providing training and equipment. This includes the new infantry battalion manual the United Nations recently released, and the development of similar manuals currently being drafted for other peacekeeping units, as well as work on issues such as command and control, protection of civilians, gender, and child protection. State and Defense offices work in very close cooperation on these issues, including through the Global Peace Operations Initiative which helps troop-contributing countries prepare their contingents to serve in U.N. missions, including through the provision of personal protective equipment.

The administration has been very engaged for several years in reforms to the U.N.'s process for recruiting, hiring, and retention of staff with the necessary skills, including addressing the incentives and working conditions necessary to keep good people in the field. The United States commissioned a study on the reasons for the shortage of helicopter assets, which is a key step toward finding solutions. The administration is actively encouraging and supporting the implementation of recommendations from that study. The administration is also a lead proponent of contingency planning for crises, including support to the U.N.'s new Operations and Crisis Center and mission-specific plans, in particular related to protection of civilians.

As for the U.N. mission in the Democratic Republic of the Congo, it has long had the authority to use force to protect civilians from the predations of armed groups. Security Council Resolution 2098 of March 2013 did not change that authority or the mission; it only made it more explicit, by adding a brigade that is trained, organized, and equipped to deal with armed groups and other threats to civilians. We will encourage the troop contributors to enforce the critical mandate. Similarly, the introduction of unarmed, unmanned aerial systems in Congo will permit the U.N. mission to detect and react more rapidly to threats to the civilian population and to the mission itself.

Question. President Obama announced the creation of an interagency Atrocities Prevention Board (APB) during a speech last year at the U.S. Holocaust Memorial Museum. The Atrocities Prevention Board, previously under your leadership, has been tasked with creating new tools to prevent wide-scale violence against civilians, in addition to identifying countries at risk of such crimes. Over the past year, the APB has sparked preventive action in places like Burma and Kenya, in addition to crafting important bureaucratic reforms to mainstream atrocities prevention training and early warning. However, the United States has yet to meaningfully engage diplomatically with other countries' on strengthening their own atrocities prevention capacities.

- In your new role at the United Nations, should you be confirmed, how will you engage with U.N. members states on atrocities prevention and challenge them to create structures similar to the APB?

Answer. As President Obama said in his August 2011 Directive on Mass Atrocities, “preventing mass atrocities and genocide is a core national security interest and a core moral responsibility of the United States.” In the same directive, the President also sent a strong signal on the importance of sharing that responsibility with other countries. Just as the United States is committed to strengthening our own capabilities to focus on preventing and responding to mass atrocities, this administration is committed to working with a wide range of partners to ensure that the international community is well-positioned to be effective in this regard.

While many of our partners already have strong commitments to civilian protection and conflict prevention, the administration believes that the process we have undertaken in formulating our comprehensive atrocity prevention strategy and standing up the Atrocities Prevention Board has generated new and useful insights into how governments can do more to position themselves to prevent and respond to the worst crimes known to humankind. For more than a year, we have sought opportunities to share our experience and insights with our partners in a range of settings.

For example, the administration regularly discusses our efforts on atrocity prevention with those who join the U.N. Security Council in order to see how we can learn from each other, develop stronger tools, and enhance cooperation.

Given the important role of regional organizations, the United States has held technical discussions at the regional level on strengthening our joint capabilities for conflict prevention, which can help protect civilian populations vulnerable to the threat of violence and atrocities.

A significant part of the administration’s effort is its partnership with the United Nations. The United States is working to build the capacity of the United Nations for atrocity prevention by advocating for better coordinated crisis planning and response across U.N. bodies; deepening our partnership with the Office of the Special Advisor on the Prevention of Genocide; urging all U.N. field missions to enhance their early warning capacity; and contributing voluntary funding to U.N. preventive diplomacy.

To bolster the administration’s diplomatic engagement with countries on atrocity prevention matters, the United States has also joined with other member states in fora dedicated to the discussion of atrocity prevention and to promoting the use of mediation as a tool for conflict prevention.

If confirmed, I will work to deepen this cooperation, look for new ways to share the lessons the administration has learned, and foster new and enhanced partnerships that will advance our efforts to prevent atrocities.

Question. Great Lakes.—Despite the passage of a U.N. resolution, the creation of a multilateral Peace, Security and Cooperation Framework for negotiations, and the appointment of an envoy to the Great Lakes, the crisis in eastern Congo continues.

- If you are confirmed, what steps will you take up in New York to support implementation of the Framework and cessation of external support to militias, which has been documented by the United Nations, that continue to destabilize the DRC and create human misery.

Answer. The administration’s overarching goal is to help stop the cycle of violence that has plagued eastern DRC for nearly two decades and to allow political stability and economic development to take root. The United States welcomed the signing of the Peace, Security, and Cooperation Framework for the DRC and the Region. The administration is also encouraged by the appointment of former Irish President Mary Robinson as the U.N. Special Envoy to the region and supports her mandate to lead the implementation of the Framework. If confirmed, I will work with U.N. Special Envoy Robinson, as well as U.S. Special Envoy Feingold, and partners on the Security Council, to encourage the Framework’s signatories to fully and quickly implement their commitments, including prioritizing the regional commitments to not support armed groups and to respect the territorial integrity of neighboring states. As the President recently said, all the parties concerned need to follow through on their commitments in order to bring about a lasting solution in the DRC and Great Lakes Region. There is no question that civilians in this region have suffered far too long, and we must find a way collectively to forge a path that better secures their physical security and human rights.

The administration believes that its diplomatic engagement over the past 6 months has had an impact. However, the United States is deeply concerned by recent reports that external support to armed groups within the DRC—while lim-

ited—continues. There are also reports of collusion between state forces and armed groups. All such support, as well as any government collusion, must end.

The administration will continue to closely monitor the role of the U.N. peace-keeping mission, MONUSCO, which must be a critical part of the effort to stabilize the DRC and needs to help provide political and security conditions space for a lasting settlement under the PSC Framework. In March, the Security Council approved an Intervention Brigade (IB) within MONUSCO tasked with neutralizing and disarming armed groups. The United States strongly supports the IB and the larger mission, but we recognize that we and other Security Council countries who supported this deployment must stay vigilant about the mission and the broader security challenges, seeking to ensure that it makes a meaningful difference on the ground.

Question. The United Nations plays a significant role in South Sudan. Since its independence, there have been a number of worrisome developments that indicate the country may be moving in the wrong direction. In fact, earlier this month the U.N. Representative to the Secretary General noted that “[t]he deterioration in the security situation in parts of South Sudan has been accompanied by human rights violations by both armed groups and national security institutions.

- What steps will you take, if confirmed, to help address the challenges in South Sudan and what aspects of the U.N. system do you think will be most useful to such an effort?

Answer. I am deeply disturbed by mounting reports of abuse of civilians, including ongoing killings, beatings, and looting and destruction of homes and humanitarian facilities in Jonglei State. I am extremely concerned about the detrimental impact that these ongoing clashes have on the physical security and humanitarian situation of tens of thousands of affected South Sudanese. The rainy season, currently in progress, makes travel difficult or impossible across vast swathes of South Sudan, and this—combined with SPLA restrictions on U.N. movement into active conflict areas—greatly complicates international efforts to gather firsthand information about the extent of the conflicts, deliver humanitarian assistance, or to respond to the violence that the United States believes to be underway.

The administration continues to strongly advocate for the U.N. Mission in South Sudan (UNMISS), U.N. humanitarian agencies, and NGOs to have full, unfettered access to all areas in order to protect civilians. This access would allow UNMISS to conduct timely patrols and air reconnaissance and by permit humanitarian workers and U.N. representatives to provide assistance and protection to all affected populations. The United States has also called on the Government of South Sudan to meet its obligations to ensure the safety and security of all civilians regardless of their background or ethnicity. The United States has reiterated that the Government is responsible for preventing SPLA attacks on UNMISS or humanitarian staff and assets.

If confirmed, I will also continue to press the Government to hold accountable those individuals who are responsible for the violence and who have committed abuses—including members of the security forces—through transparent judicial processes that respect the rule of law. I am also keenly aware of the mobility issues facing UNMISS, particularly restrictions affecting the use of helicopters, and will work vigorously with the United Nations and other stakeholders to fill these gaps. I am also interested in obtaining the views of Congress and advocates with long histories of working on South Sudan as we think through what additional steps may be taken.

RESPONSES OF SAMANTHA POWER TO QUESTIONS SUBMITTED
BY SENATOR JEFF FLAKE

Question. Over the past several years, the Palestinian Authority has successfully sought end-runs around direct negotiations with Israel by getting votes in various U.N. bodies to upgrade its status. Such attempts undermine the long-held belief that peace between Israel and the Palestinian Authority can only come about as a direct result of direct negotiations.

- What is your plan to stop initiatives like this from even coming before U.N. entities, or the General Assembly, for a vote?
- How will you address future attempts by the Palestinian Authority to achieve statehood through the United Nations?
- Will you support current U.S. law that requires the cessation of U.S. assistance to U.N. entities which recognize Palestinian statehood?

Answer. There are no shortcuts to Palestinian statehood, and I and other U.S. officials have long made that clear. As I said in my testimony on July 17, the administration has been absolutely clear that it will continue to oppose firmly any and all unilateral actions in international bodies or treaties that circumvent or prejudice the very outcomes that can only be negotiated, including Palestinian statehood. As President Obama's U.N. adviser, I helped coordinate and lead the delivery of this message. If confirmed, I will strongly support this effort, and I will work tirelessly to contest any effort that seeks to delegitimize Israel or undermine its security.

The administration will continue to stress, both with the parties and with international partners, that the only path for the Palestinians to realize their aspiration of statehood is through direct negotiations, and that Palestinian efforts to pursue endorsements of statehood claims through the U.N. system outside of a negotiated settlement are counterproductive. The administration remains vigilant on this matter and works in close coordination with the Israeli Government and our other international partners to firmly oppose one-sided action in international fora and to reinforce the importance of resumed direct negotiations between the parties as the only way to address their differences and achieve lasting peace. There is simply no substitute for the difficult give-and-take of direct negotiations.

The administration has requested a waiver to allow the President to continue to provide contributions to U.N. specialized agencies when he determines it is in the national interest. The waiver would allow the United States to maintain our vote and influence within the United Nations and its specialized agencies, and to remove from the Palestinians or their allies any ability to force a contribution cutoff and diminish our influence within these agencies.

Without a national interest waiver the administration's ability to conduct multilateral diplomacy and pursue U.S. objectives will be eroded, and the United States standing and position in critical U.N. agencies will be harmed. As a result, the United States ability to defend Israel from unfair and biased attacks in the United Nations will also be greatly damaged.

Congress has passed legislation that provides the United States with additional tools that are better suited for the purposes of deterrence than the contribution cutoff mechanism. Legislation passed in the aftermath of the Palestinians' successful UNESCO bid, if triggered, would place limits on U.S. economic support to the Palestinian Authority and would require the closure of the Palestinians' Washington, DC, office if they obtain membership as a state in a U.N. specialized agency going forward. These requirements are, appropriately, directed at the Palestinians in the event they engage in conduct that we are seeking to discourage. By contrast, the implications of the contribution cutoff will be most felt by the United States and the partners whose interests we defend across the spectrum of the U.N. system.

The proposed waiver, if enacted, will not diminish the administration's commitment to supporting Israel and defending our interests at the United Nations. It will not alter the administration's conviction that Palestinian status issues can be appropriately resolved only on a bilateral basis in direct negotiations with the Israeli Government, and that seeking to do otherwise undermines prospects for securing long-term peace. We prove our commitment and our conviction day in and day out, as we have over the past 4 years at the U.N. The waiver will allow the administration to continue to wage that fight more intelligently and more successfully, and at the same time better protect U.S. interests across multilateral organizations—including halting the proliferation of nuclear weapons, defending intellectual property rights, and preventing and tracking potential pandemics.

Question. Elections in Zimbabwe are slated to occur on July 31, even though it is widely believed that that date is far too soon to accommodate free, fair, and credible elections.

- Many believe that the election results have already been determined due to a large-scale effort to intimidate voters in Zimbabwe which began with elections in 2008 and has gone on since. If this is the case, and Mugabe pulls out a reelection, what role do you see the United Nations playing in the wake of those elections? What sort of cooperation—or opposition—would the United States have in the Security Council?
- Regardless of the elections, there will come a point when there is a transition to democratic governance in Zimbabwe. What role do you see the United Nations playing in Zimbabwe as that transition takes place?

Answer. The July 31 Presidential election is a critical moment for the people of Zimbabwe that will build on progress since the Global Political Agreement was agreed in 2008. Zimbabwe's economy has begun to recover from devastating economic mismanagement and hyperinflation, and the people of Zimbabwe peacefully approved a new constitution in March.

Nevertheless, the administration remains deeply concerned about the lack of transparency in preparations for the upcoming Presidential elections, as well as continued partisan behavior by state security institutions and the technical and the logistical issues hampering the administration of a credible and transparent election. The administration is troubled by reports of targeted harassment against civil society groups and other individuals in the weeks leading up to the elections and has stressed that civil society organizations, independent media, political parties, and regular citizens in Zimbabwe must be afforded the right to operate without harassment, detention, and intimidation.

To date, the United Nations has implemented humanitarian aid programs for children and women, economic growth and empowerment projects, and social service expansion programming. While these efforts must be commended, it is worthwhile for the United Nations to explore and encourage opportunities to expand their programmatic footprint in Zimbabwe.

At present, the United Nations supports the continued efforts by the South African Development Community (SADC) to encourage all parties in Zimbabwe to work together in completing the critical reforms outlined in the Global Political Agreement (GPA), SADC electoral roadmap, and Zimbabwe's new constitution, including media, security sector, and other reforms. Regardless of the outcome of the elections, the U.N. Country Team in Zimbabwe must continue to provide the high level of humanitarian and development aid assistance that it offers despite operating in a difficult environment.

As it has shown through critical ongoing support to democratic transitions from authoritarian regimes in countries such as Tunisia, Yemen, Libya and Iraq, the United Nations could play a constructive role in supporting a democratic transition in Zimbabwe. Depending on the particular circumstances and dynamics of such a transition, the United Nations has an array of expertise that it could provide to a transition in Zimbabwe, including electoral assistance, mediation among stakeholders as well as support for national reconciliation and transitional justice processes, strengthening human rights, and providing humanitarian aid. The U.N. could also provide political support to the efforts of Zimbabweans, the Southern African Development Community, and other international partners to promote long-term peace and development. I would strongly advocate for the U.N. to utilize all its tools and capabilities, as appropriate, to support a peaceful democratic transition for the people of Zimbabwe.

RESPONSES OF SAMANTHA POWER TO QUESTIONS SUBMITTED
BY SENATOR TOM UDALL

Question. I have been increasingly concerned by the administration's attempts to circumvent the Congress and arm Syrian rebels, whom we know little about. I am especially concerned about plans to arm rebels with heavier weapons. From what we know, the motivation of rebels is diverse, ranging from individuals who truly want a free and secular society, to those who are intent on establishing an intolerant theocracy and who are allied or sympathetic with al-Qaeda. Some of these elements were reportedly active in Iraq attacking U.S. and coalition forces.

I believe that until we know more about the rebels, until we can trust the Syrian opposition to control their weapons, the Congress should not allow the President to have the authority to transfer heavy weapons. There is too high of a chance that those weapons could be used against the United States or our friends and allies.

- At the United Nations, will you actively work to pursue a diplomatic solution to the conflict or will you pursue arming of Syrian rebels?
- You supported air strikes in Libya. The situation, and the players in Syria are much different, do you or the President plan on advocating for an international military response to the situation in Syria as some on this committee have called for?

Answer. Thank you for your question. I share the concern expressed by the administration and by so many members of this committee regarding the ongoing crisis in Syria, and the brutal atrocities committed by Bashar al-Assad's forces against the Syrian people in a conflict that has left more than 100,000 Syrians dead and has destabilized the broader region. As I said in my testimony, Syria is one of the most critical issues facing us today, and one of the most devastating cases of mass atrocity that I have ever seen. I also share your assessment of the rebels and agree that the presence of those allied or sympathetic with al-Qaeda has further complicated a complex situation that has brought such horrible suffering to the Syrian people.

The President has put in place a multifaceted approach designed, with our international partners, to strengthen moderate elements of the opposition and bring about the too-long-awaited political transition to democracy. In addition to imposing crippling sanctions against the Assad regime, we have contributed nearly a billion dollars' worth of humanitarian aid, and critical nonlethal assistance to strengthen opposition capabilities and institutions. In addition, as you mention, the administration announced recently that—in response to Assad's chemical weapons use—we would provide additional forms of support to vetted units in the opposition military. We have encouraged the opposition, which has been woefully fractured, to unite so the people in Syria view them as a viable alternative. Nobody in the administration is satisfied with the conditions on the ground in Syria,

To your question, our priority remains achieving a political settlement that achieves Assad's departure and that leads to a transitional governing body with full Executive power. If confirmed, I will work with other members of the administration to continue to explore the prospects of convening, under the U.N.'s auspices and working with our partners as well as Russia, diplomatic negotiations to achieve this political transition. The administration and I agree that it is a top priority to prevent the emergence of terrorist safe havens in Syria that al-Qaeda and other extremists could exploit to threaten the United States and our interests.

As you know, the U.N. Security Council should be supporting these efforts at achieving a political solution. But Russia's obstruction has consistently prevented the Council from taking appropriate action to address the Syria crisis. This is a disgrace that history will judge harshly. The administration has worked through other parts of the U.N. system to galvanize international support for political transition. The United States has backed resolutions in the U.N. General Assembly that have highlighted the regime's overwhelming political isolation; for the most recent resolution in May, Syria could only muster 11 other countries in opposition. The administration also has worked through the U.N. Human Rights Council to promote accountability for the atrocities the regime has committed, establishing a commission of inquiry to investigate and document these violations. And the administration has supported and provided information to the U.N.'s chemical weapons investigation team as they work to gain access to the sites where we and others believe Assad has used chemical weapons against the Syrian people.

Separate from the actions of these U.N. bodies comprised of member states, U.N. officials have also shown important leadership during this crisis. U.N. Secretary General Ban and other senior U.N. officials have been vocal and consistent in demanding an end to atrocities and attacks on civilians. And in the field, U.N. humanitarian workers put their own lives at risk every day to bring assistance to more than 1.8 million Syrian refugees, and nearly 7 million more Syrians displaced within the country. The United States remains by far the largest donor to the U.N.'s humanitarian appeal for Syria.

Recognizing your very legitimate concerns about some of those who comprise the opposition, the administration's view is that the political solution we all seek does not appear to be immediately within reach. In providing direct assistance to the Syrian Military Council the administration is working with General Idris and the SMC to channel U.S. assistance to moderate, vetted recipients. The assistance is designed to strengthen the effectiveness of the opposition, as it resists continued vicious assaults from the regime, and to help coordinate the provision of assistance from U.S. partners and allies, from where we would seek to reduce the risk that materiel the opposition is receiving from others falls into the wrong hands. The administration has encouraged moderate opposition partners to distance themselves from extremists who are also fighting against the Assad regime, and minimized the risk of U.S. assistance being diverted. The administration also has sanctioned the anti-Assad extremist group and al-Qaeda-affiliated al-Nusra Front, both under U.S. domestic sanctions and through our support for the sanctions the U.N. Security Council adopted in June.

The administration has said repeatedly that the President continues to review all options for addressing the crisis in Syria, as the situation changes on the ground. If confirmed, it will be my responsibility to contribute to that constant assessment and review of the situation and potential options for U.S. policy, given the truly outrageous situation on the ground in Syria. If confirmed, I will work with my colleagues to explore, evaluate, and reevaluate every means we might use to bring about the day when the Syrian people can be rid of Assad's tyranny, and begin to rebuild their country with a government that respects their rights and gives them the opportunity for a better future.

Question. New Mexico and other Western States have begun to experience the impact of climate change. NASA, the United Nations, our national labs, and the over-

whelming majority of scientists have noted . . . our climate is changing. And in some areas, such as the arid West, this is contributing to record temperatures, a drought that is crippling agriculture, and catastrophic wildfires. While climate change is a global problem, it is also a local problem that is hitting the Western United States hard.

- Will we have your commitment to continue to address the issue of climate change in the United Nations, and how do you intend to use your office to pursue the climate goals of the administration and to work with other nations ahead of the COP20 summit which will be held next December in Peru?
- Would you agree that much more can be done internationally to address climate change prevention and mitigation?

Answer. If confirmed, I will continue the strong commitment of the Obama administration to engage on climate change. Addressing climate change at home and abroad is a priority for President Obama and for Secretary Kerry, and the administration is working actively across the U.N. system and through complementary initiatives to address this global challenge. This includes continued active engagement in the U.N. Framework Convention on Climate Change (UNFCCC) to reduce emissions. The administration is already working closely with the hosts of UNFCCC COP19 (Poland), COP20 (Peru), and COP21 (France) to ensure that those meetings are successful and continue to move the issue forward.

This is a global challenge that requires a global solution. In addition taking leadership at home to reduce our own greenhouse gas pollution, the United States has been working internationally to craft an approach in which all countries reduce emissions. This includes not only negotiations around the UNFCCC but also work to reduce emissions in concrete and ambitious ways through the Major Economies Forum and the Climate and Clean Air Coalition, and greater bilateral cooperation with countries critical to solving this challenge. We have made great strides, but I agree that much work remains.

Question. This week the Panamanian Government held a ship bound from Cuba to North Korea due to the discovery of missiles and missile components hidden inside a sugar shipment. While many of us are still waiting for a full briefing on this seizure, I am first, grateful to the Panamanian authorities who made the seizure, and concerned about other attempts to circumvent U.N. Security Council resolutions and sanctions which prohibit countries from providing North Korea with advanced weaponry.

- I would like to know what your thoughts are regarding how the United States should address this situation, and what in your opinion, can be done to ensure that future shipments are not actually attempts to arm the North Koreans?

Answer. The administration has commended Panama for the recent actions it has taken to implement relevant U.N. Security Council resolutions with regard to the North Korean ship *Chong Chon Gang*. The United States will work closely with the Government of Panama, which has requested our assistance and the administration intends to provide assistance as best it can.

North Korea's nuclear, ballistic missile, and proliferation-related activities constitute a serious threat to international peace and security and undermine the global nonproliferation regime. Shipments of arms or related material to or from North Korea, and services related to such items, would violate U.N. Security Council Resolutions 1718 and 1874, as reaffirmed this year in Resolutions 2087 and 2094. These Security Council resolutions generally provide that all states shall prevent the direct or indirect transfer of weapons from their territory or by their nationals to North Korea and shall prohibit procurement of such weapons from North Korea.

Panama has informed the U.N. Security Council DPRK Sanctions Committee of the incident and has invited the Panel of Experts, which assists the United Nations Security Council North Korea Sanctions Committee, to conduct an investigation.

Panama's actions regarding the Sanctions Committee as well as requesting the involvement of the Panel of Experts will help clarify the involvement of the Government of Cuba with this issue. The administration hopes that the Sanctions Committee, with the support of the Panel of Experts, will investigate this case thoroughly, identify parties responsible and recommend actions to be taken in response. The administration notes that the Sanctions Committee has the ability to impose targeted sanctions (asset freeze/travel ban) on individuals and entities found to have contributed to prohibited activities or to evasion of the sanctions.

The administration will look at all possibilities regarding appropriate actions once the Committee and Panel complete their work. The administration will keep you and your staff informed of progress and would welcome your recommendations on next steps.

The United States will continue to work closely with all U.N. member states to ensure the full and transparent implementation of U.N. Security Council resolutions concerning North Korea. This will make it harder for North Korea to acquire the technology, know-how, and funds to develop its nuclear and ballistic missile programs, which the international community has repeatedly condemned. The administration will likewise continue to exercise our national authorities, where and when appropriate, to impede Pyongyang's nuclear, ballistic missile, and proliferation-related activities.

Question. I was greatly disappointed that the Senate did not ratify the U.N. Convention on the Rights of Persons with Disabilities as well as the U.N. Convention on the Law of the Sea. I believe that both of these treaties advance U.S. interests and ideals, and also work to create a more just and equitable world.

- In light of our failure to ratify these important treaties, how will you work to ensure that U.S. interests are represented in these bodies?

Answer. The administration continues to work with a bipartisan Senate coalition, disability groups, veterans groups, and others in pursuit of ratification of the Disabilities Convention. The administration understands that some Senators have concerns about the treaty, and we are working with Democratic and Republican Senate sponsors to address those concerns, so that the United States is in a position to join the over 130 countries that are party to the Disabilities Treaty. We are eager to establish a foundation for more impactful leadership on these issues—leadership designed to ensure that protections for persons with disabilities does not end at the Nation's shores.

In advance of progress on the treaty, U.S. diplomats continue to encourage governments to eliminate discrimination on the basis of disability and to develop and enforce laws and policies to protect the rights of persons with disabilities. Ratification of the Disabilities Treaty will ultimately make a difference to the millions of disabled Americans, including our wounded warriors, who often face severe challenges and indignities when abroad.

Accession to the Law of the Sea Convention also remains a priority for this administration. As a non-Party, the United States must rely on customary international law for the navigational rights and freedoms reflected in the convention.

U.S. accession to the Law of the Sea Convention will protect and advance a broad range of U.S. economic and national security interests, will secure as treaty law highly favorable provisions that guarantee our military and commercial vessels worldwide navigational rights, and will accord to the United States the ability to assert expansive sovereign rights over offshore resources, including oil and gas on the Continental Shelf beyond 200 nautical miles from shore.

RESPONSES OF SAMANTHA POWER TO QUESTIONS SUBMITTED
BY SENATOR RAND PAUL

Question. As you know, I have been an outspoken critic of the administration's perceived unwillingness to leverage our aid to Pakistan for the release of Dr. Shakil Afridi. During the July 16, 2013, meeting in my office, you stated that it was your assumption that the administration was working behind the scenes to secure his release.

- What do you think is holding up the release of Shakil Afridi? In your estimation, will his continued incarceration have a chilling effect on our ability to access human intelligence around the world? If confirmed, will you work with me to advocate for the freedom of Dr. Afridi?

Answer. Dr. Afridi remains in prison awaiting a hearing on his appeal. The administration continues to raise Dr. Afridi's case with the Government of Pakistan and have repeatedly said he should be released. If confirmed as Ambassador to the United Nations, I will eagerly join these efforts. The administration believes that the impact of Dr. Afridi's case on intelligence activities is unclear. The administration has also made clear to Pakistan that Dr. Afridi's prosecution and conviction sends the wrong message about the importance of our shared interests and the value of our cooperation.

Question. As you may know, I have been a critic of the United Nations, both because I feel it jeopardizes our sovereignty, but also because it is an organization rife with corruption. If confirmed, please outline specific steps you will take to improve the performance of the United Nations.

Answer. The United Nations is a valuable partner for advancing U.S. interests, but as I said in my testimony, there is much we need to do to improve its effective-

ness and performance and to hold Secretariat staff accountable. Therefore, the United States has been actively working to make the U.N. a more effective and accountable organization that is capable of addressing complex global challenges. If confirmed, I will continue the administration's push for strong management, sound budgeting, increased accountability, and greater transparency.

As a result of intense U.S. engagement and leadership across administrations the U.N. has adopted reforms to promote accountability, including: the establishment of the Office of Internal Oversight Services, the U.N. Independent Audit Advisory Committee, and the U.N. Ethics Office; advancement in U.N. transparency by making the Office of Internal Oversight Services' internal audit reports publicly available; reforms to the current U.N. air travel policy that put in place common sense restrictions on use of business class travel and abolishment of several unnecessary and costly reimbursement practices; and improvements to U.N. human resources policies, including a pay freeze and right-sizing exercise pending the outcome of comprehensive reviews of staff needs and compensation and enhancements to performance management and management accountability.

In addition, the State Department's U.N. Transparency and Accountability Initiative (UNTAI) allows the United States to verify that concrete improvements in management and accountability are being made in the U.N. system.

If confirmed, I will continue to work diligently across the U.N. system with other likeminded member states to ensure that U.S. tax dollars are well spent and that the U.N. lives up to both its ideals and potential. As I said in my testimony, improving the U.N.'s effectiveness and efficiency is a priority. "In these difficult budget times, when the American people are facing tough cuts and scrutinizing every expense, the United Nations must do the same. This means eliminating waste and improving accounting and internal management. This means strengthening whistleblower protections and ending any tolerance for corruption. It means getting other countries to pay their fair share. And it means closing down those missions and programs that no longer make sense. As both the U.N.'s principal founding member and its largest contributor, the United States has the right and the duty to insist on reform. I will aggressively pursue this cause."

On peacekeeping, we must continue to closely review mandates to ensure that the missions have the means to accomplish their assigned tasks. Peacekeeping is not immune from the need to do more with less, and when a mission has outlived its usefulness it should close. To drive down the cost of peacekeeping, we should continue to eliminate redundant back-office operations, continue moving to longer 12-month deployments, and strengthen oversight of peacekeeping operations to prevent waste, fraud, and abuse.

If confirmed, I will continue to work with the United Nations and member states to strengthen the U.N.'s response to sexual exploitation and abuse. I view pressing for ending impunity for U.N. personnel as particularly important, as well as taking the steps needed to ensure that the U.N.'s database can effectively prevent previous offenders from serving again in the U.N. system, in any capacity.

The United States remains concerned that countries with poor human rights records continue to be elected to seats on the Human Rights Council. The United States actively seeks to positively influence the elections both by encouraging countries with strong human rights records to seek seats and by encouraging competitive elections for the HRC. The United States has also worked behind the scenes with other countries to oppose the election of some of the worst human rights violators to the Human Rights Council and other important global bodies and will continue to do so. A relentless diplomatic campaign by the United States helped keep Syria, Iran, and Sudan from becoming members in the recent past. We agree it should not take this kind of effort to keep countries in regional blocs from voting for bad actors. But we pledge to fight aggressively such disturbing campaigns which undermine the Council and the broader human rights agenda.

RESPONSES OF SAMANTHA POWER TO QUESTIONS SUBMITTED
BY SENATOR JOHN BARRASSO

Question. During your testimony before the committee, you expressed your support for transparency of U.S. funding to the United Nations.

- What is the total annual U.S. contribution to the United Nations from all U.S. agencies, including in kind support?

Answer. The total amount of U.S. assessed and voluntary contributions to the United Nations System in 2012 were approximately \$6.7 billion. These funds support a wide array of activities such as U.N. peacekeeping and special political missions, nonproliferation activities by the International Atomic Energy Agency, health

programs provided by the World Health Organization, food aid provided by the World Food Programme, and humanitarian assistance provided by the U.N. Offices of the High Commissioner for Refugees and the Coordinator for Humanitarian Affairs. Many of these programs and activities are described in detail in the Department's annual congressional budget justifications.

Question. What percentage of the U.N. budget is directed to the day-to-day administrative and personnel costs?

Answer. The United States and other major contributors to the United Nations have been working very hard to limit growth in the U.N. regular budget. The administration has been successful in keeping the 2012–2013 budget level below the level of the 2010–2011 budget, marking only the second time in 50 years that the U.N. regular budget decreased from the previous biennium.

Approximately 75 percent of the U.N. regular budget goes to personnel costs, including salaries and benefits. The United Nations employs a wide array of personnel that work in the areas of peace and security, human rights, humanitarian assistance, development, the environment, and drug control and crime prevention. However, as the United Nations becomes a target and continues to operate in countries such as Afghanistan and Iraq, security costs must also be considered.

Rising U.N. personnel costs are a significant concern. The United States and other member states have been striving to rein in these costs, including through a 6-month pay freeze that the United States was instrumental in achieving last fall.

Question. How much has the budget of the United Nations grown over the past 10 years?

Answer. The U.N. regular budget has grown from \$3 billion in 2002–2003 to \$5.4 billion in 2012–2013. The primary drivers of the growth are increased personnel costs and the costs of new and expanded special political missions, particularly in Afghanistan and Iraq. The United States and other major contributors to the United Nations have been working very hard to limit growth in the U.N. regular budget, and have been successful thus far in keeping the 2012–2013 budget below the level of the 2010–2011 budget.

The limitation in growth up to this point was only possible because of U.S. efforts to ensure that the initial approved budget for 2012–2013 was \$5.15 billion, marking only the second time in 50 years that the U.N. regular budget decreased significantly from the previous biennium. The annual U.N. peacekeeping budgets has grown from \$2.6 billion in 2003–2004 to approximately \$7.3 billion for the U.N. peacekeeping fiscal year 2012–2013, with the number of U.N. peacekeepers deployed nearly tripling over that period. Many of the peacekeeping missions that the U.N. Security Council has authorized over the past decade have been larger and deployed to more dangerous and logistically demanding environments than before, as new missions were established in the Congo, Darfur, South Sudan, and Mali, and al-Qaeda has made no secret of its aim of targeting the U.N., successfully killing U.N. humanitarian workers and personnel in places like Afghanistan, Iraq, Nigeria, and elsewhere.

With this budget the United Nations is able to field more than 100,000 troops, police, and civilians in some of the most austere, dangerous, and demanding places on earth. If confirmed, I will continue to further U.S. efforts to improve the performance, efficiency, and accountability of U.N. operations through initiatives such as the Global Field Support Strategy and the reforms proposed by the Senior Advisory Group on peacekeeping issues, which have already yielded significant savings of \$560 million in the peacekeeping budget that help keep peacekeeping costs down.

Question. Do you support Congress and the American people receiving an annual report from the Office of Management and Budget listing the total U.S. contributions to the United Nations from the State Department as well as all other U.S. departments and agencies?

Answer. Yes.

Question. I would like to follow up on my questions regarding the United Nations Arms Trade Treaty. You testified that you do not support a United Nations gun registry that includes law abiding U.S. citizens. There has been speculation that President Obama will sign onto the U.N. Arms Trade Treaty in the near future.

- As you familiarize yourself with the U.N. Arms Trade Treaty over the weekend, can you please describe in detail how the United States will comply with Articles 12 and 13?

Answer. The Arms Trade Treaty (ATT) addresses international trade in conventional arms. It does not require or impose controls on domestic transfers of conventional arms, or the rights of U.S. citizens to possess firearms. Nothing in the treaty

violates or is inconsistent with the rights of U.S. citizens including those conferred by the second amendment. In fact, the treaty includes an explicit reaffirmation of “the sovereign right of any State to regulate and control conventional arms exclusively within its territory, pursuant to its own legal or constitutional system.” The ATT does not require or in any way reference the creation of a gun registry of any kind, U.N. or domestic.

As Secretary Kerry said on June 3 when the treaty was opened for signature, the United States fully supports the ATT and looks forward to signing it as soon as the remaining translation issues have been satisfactorily resolved. The United States looks forward to all countries having and implementing effective national systems to control the international transfer of conventional arms, as the United States does already. Progress in other countries in raising their standards nearer to the level we already set would advance U.S. and global security by curbing illicit arms transfers and potentially reducing the access of wrong-doers to the arms that they employ to commit gross violations of human rights.

U.S. recordkeeping practices with respect to international transfers of conventional arms are already consistent with Article 12 of the treaty. Article 13 requires States Parties to report on measures undertaken to implement their obligations under the treaty as well as an annual report concerning the authorized or actual exports and imports of conventional arms covered under the treaty. The administration notes that the reporting requirement does not address purely domestic transactions in any way.

If the United States were to become a Party to the treaty, the first reporting requirement could be fulfilled by providing a summary of existing U.S. export and import controls, along with references to existing U.S. law and regulations, such as the Arms Export Control Act. For the annual report, the United States already reports much of this information to the U.N. Register of Conventional Arms, the Wassenaar Arrangement, the Organization for Security and Cooperation in Europe (OSCE), and to Congress.

Question. What is your evaluation of the effectiveness of the U.N. Security Council in addressing the situations in Iran and Syria?

Answer. On Iran, the United States led a global coalition to create the toughest, most comprehensive international sanctions on the Iranian regime, and effective multilateral diplomacy at the U.N. Security Council has been critical to this effort. U.S. diplomacy led to the adoption of four rounds of U.N. Security Council sanctions on Iran since 2006, underscoring international consensus against its acquisition of a nuclear weapon and demanding Iran address international concerns over the nature of its nuclear program. U.N. Security Council sanctions on Iran have impeded Iran’s ability to procure items necessary to expand its nuclear program, and have provided the international community with the basis to counter Iran’s illicit activities, including restricting its access to technology and funding for its nuclear and ballistic missile programs. As the President has said repeatedly, the administration is committed to preventing Iran from acquiring a nuclear weapon, and we will continue working with all of our partners at the United Nations and more broadly to demand that Iran fulfill its international obligations. Because Iran has not halted its pursuit of a nuclear weapon, we cannot be satisfied, and, if confirmed, we will look for additional ways to increase the pressure on Iran to halt its activities in violation of UNSC resolutions.

Russia’s obstruction has consistently prevented the Council from taking appropriate action to address the Syria crisis. This is a disgrace that history will judge harshly. The administration has worked through other parts of the U.N. system to galvanize international support for a political solution to the crisis in Syria. The United States has backed resolutions in the U.N. General Assembly that have highlighted the regime’s overwhelming political isolation; for the most recent resolution in May, Syria could only muster 11 other countries in opposition. The administration also has worked through the U.N. Human Rights Council to promote accountability for the atrocities the regime has committed, establishing a commission of inquiry to investigate and document these violations. And the administration has supported and provided information to the U.N.’s chemical weapons investigation team as they work to gain access to the sites where we and others believe Assad has used chemical weapons against the Syrian people.

Separate from the actions of these U.N. bodies comprised of member states, U.N. officials have also shown important leadership during this crisis. U.N. Secretary General Ban and other senior U.N. officials have been vocal and consistent in demanding an end to atrocities and attacks on civilians. And in the field, U.N. humanitarian workers put their own lives at risk every day to bring assistance to more than 1.8 million Syrian refugees, and nearly 7 million Syrians more displaced

within the country. The United States remains by far the largest donor to the U.N.'s humanitarian appeal for Syria.

Question. What type of cooperation does the United States currently expect from Russia at the U.N. Security Council?

Answer. Both at the U.N. Security Council and more broadly, the administration has cooperated with Russia where we can advance our mutual interests, engaged Russia in a frank discussion of our policy differences, and firmly stood by our principles, our partners, and our allies. The United States has worked with Russia and other members of the Security Council on several issues of paramount concern to the United States, including imposing strong sanctions on both Iran and North Korea, building robust peacekeeping missions in the Sahel and Central Africa, and helping strengthen fragile states from Afghanistan to Somalia.

However, as I stated in my testimony, we need to be clear-eyed about the prospects for cooperation with Russia on Syria. The administration believes that Russia and the United States should share an interest in preventing the further growth of extremism in Syria. The administration believes that Russia and the United States should share an interest in preventing chemical weapons use. And we believe Russia should share the desire to achieve a political settlement so that state institutions can be preserved and state failure prevented. However, the three vetoes Russia has cast on draft resolutions aimed at addressing the crisis in Syria does not bode well for Russia's willingness to use the Security Council to maintain international peace and security in Syria and the broader region.

Question. How do you plan on addressing Russia's continued insistence on supplying arms to the Assad regime?

Answer. The administration has made it absolutely clear that we oppose Russian arms transfers to the regime. We have also sought to enlist other countries in delivering this message. Russia's continued support to the Assad regime—military and otherwise—is prolonging the conflict and the suffering of the Syrian people. Since the conflict in Syria began, the administration has advocated publicly and privately against Russian support to the Syrian regime, including arms transfers, and ongoing Russian obstruction of Security Council action.

At the same time, the administration recognizes that it is in everyone's interest that Russia uses its influence to help bring the regime to the negotiating table in a serious manner. Despite grave differences with Russia concerning this conflict, the administration continues to stress to the Russians that the transition to a post-Assad future is inevitable, and that the United States and Russia share an interest in a stable and inclusive Syria that neither harbors extremists and terrorists nor uses or proliferates chemical weapons.

Question. I am very concerned that the Obama administration's budget request provides \$77.8 million for the U.N. Educational, Scientific, and Cultural Organization (UNESCO). Last year, the United States terminated its funding for UNESCO as a result of the Palestinian Liberation Organization (PLO) being admitted as a full member. The administration's budget proposal shows the Palestinians that the United States is not serious about our concerns with their disregard for the peace process and unilaterally seeking a change in status through the United Nations. The United States needs to continue to send the message that we will not fund international institutions that make these types of decisions.

- Do you unequivocally oppose the Palestinians' efforts to circumvent the peace process and seek state recognition and membership in the United Nations?

Answer. There are no short cuts to Palestinian statehood, and I and other U.S. officials have long made that clear. As I said in my testimony on July 17, the administration has been absolutely clear that it will continue to oppose firmly any and all unilateral actions in international bodies or treaties that circumvent or prejudice the very outcomes that can only be negotiated, including Palestinian statehood. If confirmed, I will strongly support this effort, and I will continue to stand up to any effort that seeks to delegitimize Israel or undermine its security.

The administration will continue to stress, both with the parties and with international partners, that the only path for the Palestinians to realize their aspiration of statehood is through direct negotiations, and that Palestinian efforts to pursue endorsements of statehood claims through the U.N. system outside of a negotiated settlement are counterproductive. The administration remains vigilant on this matter and works in close coordination with the Israeli Government and our other international partners to firmly oppose one-sided action in international fora and to reinforce the importance of resumed direct negotiations between the parties as the only

way to address their differences and achieve lasting peace. There is simply no substitute for the difficult give and take of direct negotiations.

Congress has passed legislation that provides the United States with additional tools that are better suited for the purposes of deterrence than the contribution cutoff mechanism. Legislation passed in the aftermath of the Palestinians' successful UNESCO bid, if triggered, would place limits on U.S. economic support to the Palestinian Authority and would require the closure of the Palestinians' Washington, DC, office if they obtain membership as a state in a U.N. specialized agency in the future. These requirements are, appropriately, directed at the Palestinians in the event they engage in conduct that we are seeking to discourage. By contrast, the implications of the contribution cutoff will be most felt by the United States and the partners whose interests we defend across the spectrum of the U.N. system.

Question. How would restoring funding to UNESCO send that message to the Palestinians?

Answer. We agree with the critical importance of sending the message to the Palestinians that there are no shortcuts to statehood and that we will contest any effort to delegitimize Israel in the international system. The administration has requested a waiver to allow the President to continue to provide contributions to U.N. specialized agencies when he determines it is in the national interest. The waiver would allow the United States to maintain our vote and influence within the United Nations and its specialized agencies. This would, remove from the Palestinians or their allies any ability to force a contribution cutoff and diminish our influence within these agencies, which, given our vocal leadership would present spoilers with a double victory.

Without a national interest waiver the administration's ability to conduct multilateral diplomacy and pursue U.S. objectives will be eroded, and the United States standing and position in critical U.N. agencies will be harmed. As a result, the United States ability to defend Israel from unfair and biased attacks in the United Nations will also be greatly damaged.

Congress has passed legislation that provides the United States with additional tools that are better suited for the purposes of deterrence than the contribution cutoff mechanism. Legislation passed in the aftermath of the Palestinians' successful UNESCO bid, if triggered, would place limits on U.S. economic support to the Palestinian Authority and would require the closure of the Palestinians' Washington, DC, office if they obtain membership as a state in a U.N. specialized agency in the future. These requirements are, appropriately, directed at the Palestinians in the event they engage in conduct that we are seeking to discourage. By contrast, the implications of the contribution cutoff will be most felt by the United States and the partners whose interests we defend across the spectrum of the U.N. system.

The proposed waiver, if enacted, will not diminish the administration's commitment to supporting Israel and defending our interests at the United Nations. It will not alter the administration's conviction that Palestinian status issues can be appropriately resolved only on a bilateral basis in direct negotiations with the Israeli Government, and that seeking to do otherwise undermines prospects for securing long-term peace. We prove our commitment and our conviction day in and day out, as we have over the past 4 years at the United Nations. The waiver will allow the administration to continue to wage that fight more intelligently and more successfully, and at the same time better protect U.S. interests across multilateral organizations—including halting the proliferation of nuclear weapons, defending intellectual property rights, and preventing and tracking potential pandemics.

Question. The Palestinians continue to unilaterally circumvent the peace process by attempting to seek statehood recognition at the United Nations. In November, the United Nations General Assembly voted to allow the Palestinians to change their status. The best path to peace is through direct negotiations between the Israelis and the Palestinians—not through manipulations at the United Nations.

- What additional efforts do you recommend the United States take in order to persuade the Palestinians to cease their efforts to upgrade their status within the U.N. system?
- How can the United States build opposition among member states to these types of efforts?

Answer. If confirmed, just as I did as President Obama's U.N. adviser, I would take every opportunity to make clear the administration's position that one-sided actions in international fora will not advance the aspirations of the Palestinian people. The only path for the Palestinians to realize their aspiration of statehood is through direct negotiations, and Palestinian efforts to pursue endorsements of statehood claims through the U.N. system outside of a negotiated settlement are counter-

productive. We make the costs of unilateral action clear to the Palestinians and to those who have supported counterproductive unilateral action in the United Nations.

If confirmed, I will work tirelessly to oppose firmly unilateral actions in international bodies or treaties that circumvent or prejudge the very outcomes that can only be negotiated, including Palestinian statehood. If confirmed, I will also continue to stand up to every effort that seeks to delegitimize Israel or undermine its security. I will also build on this administration's extensive coordination with Israel and our outreach efforts to combat any further action by the Palestinians.

Congress has passed legislation that provides the United States with additional tools that are better suited for the purposes of deterrence than the contribution cutoff mechanism. Legislation passed in the aftermath of the Palestinians' successful UNESCO bid, if triggered, would place limits on U.S. economic support to the Palestinian Authority and would require the closure of the Palestinians' Washington, DC, office if they obtain membership as a state in a U.N. specialized agency in the future. These requirements are, appropriately, directed at the Palestinians in the event they engage in conduct that we are seeking to discourage. By contrast, the implications of the contribution cutoff will be most felt by the United States and the partners whose interests we defend across the spectrum of the U.N. system.

The message from the United States to the Palestinians and in capitals around the world is consistent. The only way to establish a Palestinian state and resolve all permanent-status issues is through the crucial work of direct negotiations between the parties. There is simply no substitute for the difficult give and take of direct negotiations.

NOMINATION OF CATHERINE M. RUSSELL

WEDNESDAY, JULY 17, 2013

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

Catherine M. Russell, of the District of Columbia, to be Ambassador at Large for Global Women's Issues

The committee met, pursuant to notice, at 2:28 p.m., in room SD-419, Dirksen Senate Office Building, Hon. Barbara Boxer presiding.

Present: Senators Boxer, Kaine, and Paul.

OPENING STATEMENT OF HON. BARBARA BOXER, U.S. SENATOR FROM CALIFORNIA

Senator BOXER. Good afternoon. Today, we meet to consider the nomination of Catherine Russell to be the United States Ambassador at Large for Global Women's Issues.

I want to welcome Ms. Russell, and congratulations on your nomination.

If confirmed, Ms. Russell will play an important role as our country's second Ambassador-at-Large for Global Women's Issues. This position and the office created by President Obama in 2009 is strongly supported by Hillary Clinton, our former Secretary of State, has elevated the status of women's issues in U.S. foreign policy, and has helped ensure that the United States stands as a powerful advocate for the rights and empowerment of women and girls all over the world.

But as we know, despite the tremendous efforts of Secretary Clinton and our first Ambassador at Large, Melanne Vermeer, much work remains to be done. This important work ranges from ending the devastating scourge of violence against women and girls to ensuring that young girls have the opportunity to avoid child marriage and, instead, receive an education, to providing women and girls the opportunity to own and inherit property, to hold elected office, and to start small businesses.

Ms. Russell's distinguished resume indicates that she is up to the task. Most recently, she served as chief of staff to the second lady of the United States, Dr. Jill Biden, another tireless advocate for women's empowerment. Prior to her time in the White House, Ms. Russell served as senior advisor on international women's issues to our former chairman and current Vice President, Joe Biden.

Ms. Russell also served as an Associate Deputy Attorney General at the Department of Justice and as the staff director for the Senate Judiciary Committee. She attended Boston College, where she received her B.A. in philosophy, and George Washington University Law School, where she received her juris doctorate.

And I am so pleased that Senator Leahy is here. You could not have a finer Senator to introduce you. He is so respected and well loved here.

And Senator Leahy, the floor is yours.

**STATEMENT OF HON. PATRICK LEAHY,
U.S. SENATOR FROM VERMONT**

Senator LEAHY. Well, thank you very much, Madam Chair.

I apologize for bursting in at the last moment. We have been doing hearings on the Voting Rights Act with—

Senator BOXER. Good.

Senator LEAHY [continuing]. Congressman Lewis and Congressman Sensenbrenner, a bipartisan panel.

But I really wanted to be here to introduce Cathy Russell, and you talked about all of the amazing things that she has done. I cannot think of anybody better for the President to pick to be U.S. Ambassador at Large for Women's Issues.

If I could just on a personal note, I do not want to take from something she is going to say, but she has a note from her two children here saying the fact that, "Mommy, we love you." So I knew when both those children were born because we have known Cathy and her husband, Tom, for so many years, known them for more than 25 years.

And I went back over the compilation like that, and I said this had to be the first 10-year-old we ever hired in here—

[Laughter.]

Senator LEAHY [continuing]. When she served as senior counsel on the Senate Judiciary Subcommittee on Technology and the Law. Brilliant mind. Uncanny ability, though, to take the most complex issues, get them down to where even a Senator like myself and others could understand it, but to make sure that Senators on both sides of the aisle knew that what she gave them was the best knowledge possible.

She wanted to serve as staff director to the full Senate Judiciary Committee several years later. Again, the women's issues in the Judiciary Committee, she worked on the bedrock of her qualifications for this role.

Then she became senior advisor to the Senate Foreign Relations Committee. She specialized in international women's issues. She helped draft the International Violence Against Women Act of 2007. And I know, Madam Chair, how hard you worked on the Violence Against Women Act here in the Senate and the House, and Cathy Russell worked to expand that worldwide.

I know that Dr. Biden, Jill Biden, has found Cathy to have been an invaluable chief of staff over the past 4 years. She assisted both Dr. Biden and the first lady to support women in military families through the Joining Forces Program.

She oversaw a governmental interagency process to develop the first United States strategy to prevent and respond to gender-based

violence globally. I mean, I could go on and on with all of these things about her.

If I could just close with this. She is able to handle the most complex issues and seeking the truth and being totally honest in it. But I have known her as a lawyer, as a person, as a mother, spouse of one of my best friends. And throughout all that time, I have been constantly impressed with her, thinking here is a person any one of us could rely on on any issue she took and know that she would be totally honest, totally loyal to this country.

And I think that it is wonderful she is willing to take this position.

Senator BOXER. Senator Leahy, let me say your words mean a lot to us. We are so pleased, and I am sure Ms. Russell is eternally pleased and grateful to you for this, all that you have to do. And we thank you for coming over here. We know you have a lot to do. So thank you so much.

And I have a hunch it is going to be smooth sailing. I do not see a lot of people here, which is an indication of that. We have a vote coming up soon. So we are going to hear from Ms. Russell, and if things go the way I plan, you will be out of here in time to take your wonderful husband for a celebratory cup of coffee. [Laughter.]

And I know that Tom Donilon is here. We are so grateful to you, sir, for your amazing contribution to this country.

And are there any other members of your family you wish to introduce?

Ms. RUSSELL. Senator, I think my brother-in-law, Mike Donilon, is here, and my cousin, Susie Saraf, is here.

Senator BOXER. Welcome.

Ms. RUSSELL. My children are not here today. One is at camp, and one is in school. So neither one of them is here today.

Senator BOXER. Well, that makes a lot of sense. So here is the deal. We would love you to synthesize your remarks to 5 minutes.

Ms. RUSSELL. OK.

Senator BOXER. I have some questions. If no one else shows up, that will be it.

Ms. RUSSELL. OK. Great.

Senator BOXER. This might go well. Go ahead.

STATEMENT OF CATHERINE M. RUSSELL OF THE DISTRICT OF COLUMBIA, TO BE AMBASSADOR AT LARGE FOR GLOBAL WOMEN'S ISSUES

Ms. RUSSELL. Senator Boxer, members of the committee, it is a privilege to appear before you today.

I would like to thank Senator Leahy so very much for coming here to speak on my behalf.

I am grateful to the President and to Secretary Kerry for asking me to serve as the next Ambassador at Large for Global Women's Issues. I am humbled by their trust and by the prospect of following in the footsteps of Melanne Vermeer, who served in this position so extraordinarily during the President's first term.

Finally, I am grateful to share this day with my husband and my children, at least in spirit, Sarah and Teddy.

As Senator Leahy mentioned, I started my career in the Senate, first as a lawyer on the Judiciary subcommittee he chaired and

then as staff director of the full committee when Senator Biden was the chairman. I saw firsthand not only the vital work of the Senate, but also the expertise and careful deliberation that Senators and their staffs bring to the issues before them.

During my tenure as staff director of the committee, in 1994, Congress came together to pass the Violence Against Women Act. That legislation was important for many reasons, not least of which it made clear to all Americans that domestic violence was not a private family member—private family matter, but a crime. I am proud that landmark law has, indeed, made a difference in the lives of so many women in this country.

When I joined the Foreign Relations Committee staff more than a decade later, we sought to apply some of the same principles of the Violence Against Women Act to our global efforts against gender-based violence. We drafted the first International Violence Against Women Act legislation, which then-Senator Biden introduced in 2007.

My work on that legislation was informed in part by my experience with Women for Women International, an organization that helps women survivors of conflict rebuild their lives. I realize that while women are often targets in conflicts, they also have tremendous capacity not only to survive, but to thrive, to make better lives for themselves and their families, and to rebuild their communities and their countries.

While chief of staff to Dr. Jill Biden, I spearheaded an administration-wide effort to develop the U.S. strategy to prevent and respond to gender-based violence globally. It is my hope that this strategy and accompanying Executive order from President Obama will make a significant difference in efforts to ensure that all persons can live free from violence.

America's leadership in advancing the rights of women is vital not just to women themselves, but to our national security and economic stability. None of the world's most pressing economic, social, and political problems can be solved without the full participation of women.

As Secretary Kerry has said, gender equality is critical to our shared goals of prosperity, stability, and peace, and investing in women and girls worldwide is critical to advancing U.S. foreign policy.

Secretary Clinton and Ambassador Verveer made unprecedented progress not only in promoting gender equality and advancing the status of women and girls abroad, but also in elevating women's issues in our foreign policy. They worked to integrate these issues into high-profile multilateral forums and bilateral dialogues and into the duties of our foreign and civil service.

If you grant me the privilege, I will work with Secretary Kerry to build upon this progress. I will continue to advocate at home and abroad that investing in women, advancing and protecting their rights, is not just the right thing to do morally, it is the smart thing to do economically and strategically.

I will focus my energies in six main areas. First, I will carry on with the critical work of moving the State Department to implement fully the Department's gender guidance, which requires that gender issues be incorporated into all aspects of diplomacy. I will

ensure that the Secretary's Office of Global Women's Issues remains a resource for the diplomats who will be advancing this work at our posts abroad.

Second, I will support efforts to expand women's entrepreneurship and economic participation. We know that women's potential to help grow economies is vast, yet still largely untapped. I will continue the Department's leadership in supporting women entrepreneurs in every region.

Next, I will provide strong leadership in implementing the United States first-ever National Action Plan on Women, Peace, and Security. Today, with conflicts and transitions affecting millions, women must not only be protected from violence, but also be empowered to shape the futures of their countries.

I will work with global partners to expand women's political participation, ensuring that their voices are heard everywhere, especially in emerging democracies.

Next, the United States must be at the forefront of global efforts to address gender-based violence. The continuing reports of horrific violence against women and girls are simply unacceptable. I will work to help more women live in greater safety and gain access to health care, protection, and justice.

Finally, investing in women and girls is one of the most powerful forces for international development. We have seen that when a girl has a chance to go to school, has access to health care, and is kept free from violence, she will marry later, have healthier children, and earn income that she will invest back into her family and community, breaking the cycle of poverty.

I look forward to working with colleagues at USAID and PEPFAR to ensure strong investments in women and girls' health and education, in agriculture, child survival, nutrition, and preventing child marriage.

I am humbled by the task ahead, but eager to get to work. If confirmed, I am looking forward to the privilege of working with talented foreign and civil service members throughout the State Department to promote gender equality and advance the status of women around the world.

Most of all, I hope to work with each of you to advance our shared goals of global peace, prosperity, and security.

Thank you very much. I look forward to answering your questions.

[The prepared statement of Ms. Russell follows:]

PREPARED STATEMENT OF CATHERINE M. RUSSELL

Madame Chairwoman, Senator Paul, members of the committee, it is a privilege to appear before you today. I would like to thank Senator Leahy for coming here to speak on my behalf.

I am grateful to the President and to Secretary Kerry for asking me to serve as the next Ambassador at Large for Global Women's Issues. I am humbled by their trust and by the prospect of following in the footsteps of Melanne Verwee, who served in this position so extraordinarily during the President's first term.

Finally, I am very grateful to share this day with my husband, Tom, and our children, Sarah and Teddy.

As Senator Leahy mentioned, I started my career in the Senate, first as a lawyer on the Judiciary Subcommittee he chaired and then as the staff director for the full committee when Senator Biden was the chairman. I saw firsthand not only the vital work of the Senate, but also the expertise and careful deliberation Senators and their staffs bring to the issues before them.

During my tenure as staff director of the committee in 1994, Congress came together to pass the Violence Against Women Act. That legislation was important for many reasons, not least of which it made clear to all Americans that domestic violence was not a private family matter, but a crime. I am proud that landmark law has indeed made a difference in the lives of so many women in this country.

When I joined the Foreign Relations Committee staff more than a decade later, we sought to apply some of the same principles of the Violence Against Women Act to our global efforts against gender-based violence. We drafted the first International Violence Against Women Act legislation, which then-Senator Biden introduced in 2007.

My work on that legislation was informed, in part, by my experience with Women for Women International, an organization that helps women survivors of conflict rebuild their lives. I realized that while women are often targets in conflicts, they also have tremendous capacity not only to survive but to thrive, to make better lives for themselves and their families, and to build their communities and countries.

While chief of staff to Dr. Jill Biden, I spearheaded an administration-wide effort to develop the U.S. Strategy to Prevent and Respond to Gender-Based Violence Globally. It is my hope that this strategy, and accompanying Executive order from President Obama, will make a significant difference in efforts to ensure that all persons can live free from violence.

America's leadership in advancing the rights of women is vital not just to women themselves, but to our national security and economic stability. None of the world's most pressing economic, social, and political problems can be solved without the full participation of women. As Secretary Kerry has said, "Gender equality is critical to our shared goals of prosperity, stability, and peace, and investing in women and girls worldwide is critical to advancing U.S. foreign policy."

Secretary Clinton and Ambassador Verveer made unprecedented progress not only in promoting gender equality and advancing the status of women and girls abroad, but also in elevating women's issues in our foreign policy. They worked to integrate these issues into high-profile multilateral forums and bilateral dialogues and into the duties of our foreign and civil service.

If you grant me the privilege, I will work with Secretary Kerry to build upon this progress. I will continue to advocate at home and abroad that investing in women—advancing and protecting their rights—is not just the right thing to do morally; it is the smart thing to do economically and strategically.

I will focus my energies on six main areas.

First, I will carry on with the critical work of moving the State Department to implement fully the Department's gender guidance, which requires that gender issues be incorporated into all aspects of diplomacy. I will ensure the Secretary's Office of Global Women's Issues remains a resource for the diplomats who will be advancing this work at our posts abroad.

Second, I will support efforts to expand women's entrepreneurship and economic participation. We know that women's potential to help grow economies is vast, yet still largely untapped. I will continue the Department's leadership in supporting women entrepreneurs in every region.

Next, I will provide strong leadership in implementing the United States first-ever National Action Plan on Women, Peace, and Security. Today, with conflicts and transitions affecting millions, women must not only be protected from violence, but also be empowered to shape the futures of their countries.

I will work with global partners to expand women's political participation, ensuring that their voices are heard everywhere, especially in emerging democracies.

Next, the United States must be at the forefront of global efforts to address gender-based violence. The continuing reports of horrific violence against young women and girls are simply unacceptable. I will work to help more women live in greater safety, and gain access to health care, protection, and justice.

Finally, investing in women and girls is one of the most powerful forces for international development. We've seen that when a girl has the chance to go to school, has access to health care, and is kept safe from violence, she will marry later, have healthier children, and earn an income that she will invest back into her family and community—breaking the cycle of poverty. I look forward to working with colleagues at USAID and PEPFAR to ensure strong investments in women and girls' health and education, in agriculture, child survival, nutrition, and preventing child marriage.

I am humbled by the task ahead, but eager to get to work. If confirmed, I am looking forward to the privilege of working with talented foreign and civil service members throughout the State Department to promote gender equality and advance the status of women around the world. Most of all, I hope to work with each of you to advance our shared goals of global peace, prosperity, and security.

Thank you very much. I look forward to answering your questions.

Senator BOXER. Well, I must say that everything you said resonates mightily with me and just speaks to why this office is so important. And why, when I went to then-Chairman Kerry and asked that we have our first-ever subcommittee looking at the status of women throughout the world and he said yes, I knew it was a real breakthrough.

And there are many people out there in the audience who supported that, and I think it is critical. And I have to say the most conservative-thinking historians have said that the reason so much of the world is lagging is because they do not give women a fair chance. So, as you point out, it is a huge economic issue.

And of course, the tragedy of violence against women, we see it all over, in our own military, I might say.

Ms. RUSSELL. I know.

Senator BOXER. And we have to keep on pushing because if we do not, it is going to continue.

And I have to say we have a heroine in the world named Malala Yousafzai. And I introduced a bill earlier this year with Senator Landrieu, and we all know that incredible story. Shot in the head by the Taliban because she spoke out bravely for girls' education in Pakistan and around the world.

So the fact that she survived this is definitely God-given blessing to the world, and she is continuing her crusade. So, as you know, she spoke before the United Nations. I was just riveted listening to her words, but more than her words, her passion, and her power.

And so, this bill pays tribute to Malala's vision for her country by reinforcing the U.S. commitment to girls' education in Pakistan. It is a very simple bill. It expands an existing USAID program. So we are not adding more money.

It awards university scholarships to economically disadvantaged Pakistani students. It requires that new scholarships be awarded to women because, to date, only 25 percent of the scholarships awarded through the program have been for women. The women are the ones who need it. For them to be getting just 25 percent is just wrong on its face.

So I know we are going to take up this bill, and I know the State Department does not have an official position. So I am not asking you that. But I am asking if you would work with me, as we move forward, because I think you could be a great resource to me in just getting the facts out. Would you work with me to get the facts out surrounding this legislation?

Ms. RUSSELL. Well, Senator, first let me say that I think—I completely agree with you that girls' education is a critical issue for us to be working on. I think that the case of Malala was so horrifying for so many reasons. But first of all, it was such a cowardly act for them to go after her, and I think that the reason that they are so threatened by a young girl going to school is precisely why we need to be so supportive of girls' education.

It is a horrifying thing to imagine that girls on their way to a class are such a threat that they are going to shoot a young woman in the head. And I think it just reinforces the importance for us of really coming back and saying this is absolutely unacceptable, and we need to do everything we can to make sure that these girls can

get an education to make their lives better, to make their children's lives better.

Because I think one thing we know for sure, that girls getting an education is really one of the most—I mean, I think there are so many things that we need to do for women's empowerment. Education is one of them. Health care. Making sure legal protections are in place. But I think one of the first and most important is certainly education.

And I think we need to do everything we can to make sure that these girls have that opportunity, and so, yes, I will certainly work with you. I commend you for your leadership on that. I just think it is sort of first, one of the first principles, that girls' education is critically important.

Senator BOXER. Well, clearly, what the terrorists do, they rule by fear. And they know if people have confidence in themselves and they are educated and they can stand up for themselves, that is a threat to them.

Ms. RUSSELL. Exactly.

Senator BOXER. So, you know, they go after the women and terrorize. But I think what we saw with Malala's speech at the United Nations is if they thought they were going to stop the conversation, they certainly have another think coming.

Ms. RUSSELL. Yes.

Senator BOXER. And in this committee, we are going to work together, and we are going to see that the girls have that opportunity.

Ms. RUSSELL. That opportunity.

Senator BOXER. I see I have been joined by my ranking member. Senator Kaine, do you have time to just wait for his opening statement? All right, we will call on Senator Paul.

Senator PAUL. Actually, I am fine. I do not have an opening statement.

Senator BOXER. You are OK? OK. We will call on Senator Kaine.

Senator PAUL. That will be fine.

Senator BOXER. And then we will go back to you for questions. Go ahead.

Senator PAUL. Sure.

Senator Kaine. Great. Thank you, Madam Chair.

Congratulations.

Ms. RUSSELL. Thank you, Senator.

Senator Kaine. I cannot think of somebody more qualified to do this important job.

Just in terms of—I have two questions, really. One about partnership and one about the U.N. convention and the current status of it not being ratified in the United States.

Partnership. A lot of the success, I think, of the office is the partnership that you create with other entities within State that have a human rights portfolio, as well as partnerships beyond State. And I would like you to just talk about your sort of philosophy about such partnerships, partnerships that are already working between the office and other entities within or around State. I would love to hear that.

Ms. RUSSELL. OK. Thank you, Senator, for that question.

It is interesting. When I worked on the strategy on violence against women globally, one of the things that became very clear to me was that there are lots of entities around the Government who are working on different pieces of the violence portfolio.

We brought all of these pieces, all of the organizations together, many of them in State, AID, and then across the Government—Justice Department folks, people from Labor, people from CDC, OPIC. I mean, lots of people had a lot of interest in this.

I think that everybody was looking. I think sort of one of the things that happen anywhere across the Government is there is a lot of stove-piping that goes on. But everybody is looking for opportunities to work together, and I think that it is important—this is a fairly small office, but I think that what we can do is really—we have the opportunity to look for people who are interested in working on these issues and really look for partnerships and ways to kind of bring people together in a way that will benefit all of us.

I mean, everybody has some interest in gender, right? Because women sort of cross lots of different portfolios here. But I think what we are looking for are places where we can be particularly effective in using kind of the bully pulpit and also making sure that with the limited resources we have in the Government that we are all doing things that are the most effective way to help women kind of across portfolios.

And everybody—you know, obviously, I am not in the job. So—
Senator KAINE. Right.

Ms. RUSSELL. But everybody has been very interested in sort of reaching out to me and looking for opportunities, saying if you are confirmed, we would be interested in working together. So I think it is going to be a very effective way to do business.

Senator KAINE. What is your sense of—one worry I would have is that issues dealing with women's empowerment could be kind of an add-on issue rather than a central issue in bilateral foreign policy, whether it is bilateral or multilateral. What are your thoughts about the ways to take women's empowerment issues and not make them an add-on, but make them really central to the daily work of diplomacy that the Nation does?

Ms. RUSSELL. I think that was one of the things that Secretary Clinton and Ambassador Verveer were very good about. And I think it is the purpose of the gender integration that is going on at the State Department, where Secretary Clinton issued a policy saying you need to make sure that gender is integrated in the work of the Department.

It is an ongoing process, frankly. But I think that there are places where there are efforts underway now, but I think, obviously, we would need to continue to look for places to do that. There are probably places where it makes more sense than others to focus. But I do think that that is an ongoing process.

Senator KAINE. Finally, I just would like to get your thoughts about the convention. I am really struck and discouraged by the fact that we are a signator but haven't ratified the U.N. Convention on Elimination of Discrimination Against Women.

And do you know whether the administration has plans to promote that issue before this Congress? And I would just like to have your sense of the convention and what it requires and its validity.

Ms. RUSSELL. Well, the administration supports the ratification certainly, and I would support it as well. What I understand is that certainly in the United States, we kind of have the gold standard in terms of nondiscrimination laws. And so, it really, I think, is more of an issue when we are overseas.

And my understanding is that what diplomats have expressed is that it would be very helpful as kind of a tool in our arsenal to say to countries where they are not abiding by nondiscrimination laws, where their laws and their practices are not favorable toward women—where ours are, but where countries are not as favorable—to say—and they are signatories to CEDAW, to say that—you know, to try to get them to abide by their obligations under CEDAW.

I understand that there are people in this country and in this Congress who have concerns about it. I know that those are not people who believe in discrimination against women. So I would like to think that there may be a way forward here, and certainly if I could be helpful doing that, I would be interested in doing that. Because I have to think that there is a way we can do this.

Because I am sure that it is not, as I say, that folks who have concerns about it, I have to believe that there is a way we can—

Senator KAINE. Their concern is probably more the sovereignty concern than the discrimination concern.

Ms. RUSSELL. Yes. And just given that it would be such an effective tool for us to use overseas, and I think as it is now, we are kind of lumped in with Sudan and Somalia and Iran as people who are not signatories to this treaty, it does put us in a bad place. And again, it is not really as much an issue in the United States. We do have great laws here.

But in other places, it would be very helpful for us to be able to say we, too, are signatories. And now they use it and say, well, the United States cannot even sign onto this. So why do we need to worry about whether we abide by our obligations under it? And that is kind of an unfortunate place for us to be at this point.

Senator KAINE. Well, I would love to be involved in an effort to get the United States Senate to ratify, and your advice about how it might be perceived and how it might help us internationally could be very valuable. I think the nonratification of that convention and the one on the rights of citizens with disabilities are just out of character with who we are.

Ms. RUSSELL. Yes.

Senator KAINE. I think we—in both the antidiscrimination areas and in the areas of treatment of citizens with disabilities, while every day we can wake up and we can and should do more, I think we have a lot of examples to offer the world about the things that we have done. And I think the absence of ratification of both of these conventions gets in the way of us presenting the best case that we can.

And I would look forward to you helping us maybe figuring out a way to make that happen.

Thank you, Madam Chair.

Ms. RUSSELL. Thanks.

Senator BOXER. Thank you, Senator.

Senator Paul.

Senator PAUL. Congratulations on your nomination, and thanks for coming.

There is a Pakistani poet by the name of Parveen Shakir, and she has a poem that makes me think of Malala. It says, "The children of our age have grown clever. They insist on examining the firefly in the daylight."

I remember seeing the speeches of Malala before she was injured. Her speech is still incredible, even with the massive injury that she sustained. But what I would say is that there is such a mixture in so many of these worlds of allowing women to advance. I mean, there have been Prime Ministers of Pakistan. I have met the Ambassador from Pakistan, who is a woman.

But then there are strains, and not insignificant strains, I think maybe as much as a third of the population of Pakistan, maybe half, said they would vote for bin Laden, which basically means they are voting for the Taliban, voting for a repressive culture that would shoot a little girl. I mean, I think we should speak out on these things, and we should condemn these things.

I think there has been too much hesitancy sometimes in our society that we are going to offend all of Islam. I do think there need to be more voices within Islam saying this is not and does not represent Islam, and it is harder for a Christian because it looks as if I am just criticizing another religion. But someone should speak out, and our country, I think, should not be shy about speaking out about this.

Among the great human rights abuses I think is putting people to death for their speech. In Pakistan, there is a woman, and I do not know if this is a women's rights issue. But she is a woman, and she is in prison on death row, basically for speaking out. Well, she thinks, actually, for drinking out of the same glass as Muslim workers is why she thinks she is on death row.

She is officially charged with blasphemy and saying something about the prophet. She denies this. And in our country, gossip like that or any kind of accusation of religious speech would not be considered to be any kind of crime.

But I think it is important as we speak out that we not try to be so politically correct that we excuse behavior because we say, oh, we are afraid of offending an entire religion. I do think it would be easier if it were someone who were from the same religion saying this doesn't represent it. But at the very least, I think we need to not be afraid to speak out on issues where people are misusing religion, but it really is a human rights abuse and, in this case, the abuse of a woman.

I would appreciate your comments.

Ms. RUSSELL. Well, Senator, you raise a critical issue. I am not familiar with that specific case, but I do think that that is certainly a really important—

Senator PAUL. Her name is Asia Bibi, if you want to have your staff look into it.

Ms. RUSSELL. OK.

Senator PAUL. She has been, I think, in prison for 2 years or more. They say it may take another 2 years for her trial to come up, if it comes up. They say she may be pardoned ultimately. But

for goodness sakes, to spend 5 years in prison, even if that is all. But she is under the threat of the death penalty the entire time.

And it is the blasphemy laws. But almost every country through the Middle East has these laws. They do not always enforce them. But having them on the books is a great human rights abuse.

Ms. RUSSELL. Yes. No, I appreciate you raising that, and I will have somebody take a look at it, and I will look at it. And I appreciate your raising it, and then if I am confirmed in this position, I would be interested in continuing conversations with you about that. I appreciate that.

Thank you.

Senator BOXER. Anything else, Rand?

Senator PAUL. No, thank you.

Senator BOXER. I have just one more question. I was deeply disappointed by recent attempts by the Government of Bangladesh to fundamentally alter the future of Bangladesh's Nobel Prize-winning Grameen Bank, which was founded by Muhammad Yunus.

As you know, Grameen Bank provides lifesaving microfinanced loans to its shareholders, and the majority of them are very poor women. And what makes the bank unique is it is owned by the very women who borrow from it.

I had the privilege of speaking with Muhammad Yunus, and what an amazing man he is. And this idea, just getting a few hundred dollars, sometimes even less, and how that grows. So I have joined a number of my colleagues, including every female member of the Senate on both sides of the aisle, in urging Bangladesh to allow Grameen Bank to continue to operate with autonomy and without government influence.

Most recently, I joined Senator Durbin in an op-ed in which we wrote, "Any effort to restructure the bank is the wrong decision and one that threatens the most vulnerable and the tremendous strides the country has made toward poverty reduction and growing civil society."

Could you speak to this issue of the bank, and if confirmed, would you commit to working for the protection of this vitally important institution?

Ms. RUSSELL. Yes, Senator. I am not familiar specifically with what the Bangladeshi Government is doing, but I am certainly familiar with the Grameen Bank and with microfinance programs in general.

Senator BOXER. Well, they have basically taken it away, taken it over.

Ms. RUSSELL. Yes, which is a terrible thing. The microfinance programs are especially important for women because they provide such small loans that are often critically important for women to get started in business.

I saw a great program in Bosnia where the women were borrowing small bits of money, starting sewing businesses, milk businesses. It was amazing to see. And the women came together and made decisions about who in the community would get the loans. They all backed each other in the loans.

I mean, it was an amazing process, and it was interesting especially because the women finally had the kind of say in the family about what was happening with the money because it was they,

rather than the husbands, who were earning the money. And it changed the dynamic.

And initially, it was interesting because there were some kind of flareups of violence where the husbands resented the fact that the women were making decisions about the money. But ultimately, the men kind of got the hang of it. Sometimes the women were then employing their husbands in their businesses. And so, it changed kind of the family dynamic.

So I am a big believer in microfinance, and I cannot imagine why the—well, I actually can imagine why they would, but certainly I can see that this is a problem, and I would—

Senator BOXER. Well, we can work together on it.

Ms. RUSSELL. We definitely can work together on that, yes.

Senator BOXER. OK.

Ms. RUSSELL. And thank you for raising that. I appreciate your question.

Senator BOXER. Senator Kaine, have any more questions? Any more questions from—

Well, I told you this would be easy.

Ms. RUSSELL. You did. I did not believe you, but you did tell me that.

Senator BOXER. Well, we are all very happy that you are willing to do this. You will have to fill very giant shoes, but I know that you are up to it.

And we thank you, and we stand adjourned.

Ms. RUSSELL. Thank you. Thank you, Senator.

[Whereupon, at 3 p.m., the hearing was adjourned.]

ADDITIONAL QUESTIONS AND ANSWERS SUBMITTED FOR THE RECORD

RESPONSES OF CATHERINE RUSSELL TO QUESTIONS SUBMITTED BY SENATOR ROBERT MENEDEZ

Question. The Office of Global Women's Issues is a critically important tool in advancing the rights of women around the world. Our values, and U.S. policy, call for preserving and advancing the role women have in society, improving access to health and education, and alleviating the impact violence has on women. These measures are necessary, not only for promoting essential rights for women, but for economic growth and global security.

- What advances have been made with regard to women's health and education since the office's installment in 2009? How can we improve access in conflict-ridden areas like Afghanistan?

Answer. Investing in women and girls is one of the most powerful forces for international development. Improving the health and education of women and girls also enhances their productivity and social and economic participation, and acts as a positive multiplier, benefiting the development and health of future generations.

Since 2009, the United States and partners around the world have made remarkable progress in advancing women's health—including in reducing maternal mortality, increasing access to contraception, and increasing access to HIV prevention, care, and treatment services. In 2010, for example, the U.N. Secretary General launched his "Every Woman Every Child" strategy, an initiative to reduce maternal and child mortality worldwide.

President Obama's Global Health Initiative (GHI), launched in 2009, recognizes that the health and rights of women and girls have a significant impact on the success—or failure—of our global health programs. In 2011, the Secretary's Office of Global Women's Issues (S/GWI) led an interagency working group to develop "Supplemental Guidance on Women, Girls and Gender Equality" to help countries integrate gender issues and priorities into their health strategies. Today, every country-level global health initiative strategy has incorporated this gender guidance.

The President's Emergency Plan for AIDS Relief (PEPFAR) promotes the integration of gender throughout its prevention, care, and treatment programs. Furthermore, S/GWI and PEPFAR jointly support approximately \$3 million in small grants to grassroots organizations in over 25 countries working to prevent and respond to gender-based violence, with a link to HIV prevention, treatment, and care.

The world has also seen significant progress in girls' access to education; and in many countries across the developing world gender parity in primary school enrollment has been reached. In FY 2012, around 9.5 million girls were enrolled in primary and secondary schools (or equivalent non-school-based settings) with USG support. USAID, which directs the United States global education investments in developing countries, focuses on the following three goals: (1) improving reading skills for primary school children; (2) improving workforce training programs; and (3) increasing equitable access to education in conflict and crisis environments. Efforts to promote gender equality within USAID's education activities include: creating safe spaces for women and girls pursuing education in fragile environments; ensuring teacher training and education materials reflect equitable gender norms; engaging communities to ensure girls have equal access to education. USAID also supports programs that target girls' access to education in countries such as Ethiopia, Liberia, South Sudan, and Tanzania. The recently concluded Ambassador Girls Scholarship Program provided more than 500,000 scholarships to girls in 40 African countries between 2004 and 2011.

In 2012, S/GWI brought USAID and PEPFAR together to support "Empowering Adolescent Girls to Lead through Education (EAGLE)," a 5-year, \$15 million program to ensure that more adolescent girls in the Democratic Republic of Congo (DRC) make successful transitions to secondary school. Just 11 percent of Congolese women over age 25 have completed secondary education, and studies show that keeping girls in school dramatically reduces their vulnerability to HIV and improves overall health outcomes. EAGLE seeks to raise this rate by tackling many of the barriers keeping girls from continuing their post-primary educations—including cost and school safety.

The State Department also seeks to support girls' education through its exchange programs. Beginning in 2013, all teachers who come to the United States under the auspices of Department-sponsored Teaching Excellence and Achievement and International Leaders in Education exchange programs will take courses on addressing the unique challenges girls face in the classroom. Hundreds of teachers per year come to the United States through these programs, most from the developing world, where a lack of such training and awareness is considered a serious barrier to girls' success in school.

The United States also recognizes the critical importance of ensuring women's and girls' access to health care and education in conflict and post-conflict areas.

For example, U.S. efforts in Afghanistan to increase and improve primary health care, increase safe childbirth, support healthier adolescent girls and women, and build training and job opportunities in health for women have all contributed to the improved status of women. Maternal mortality has fallen from 1,600 per 100,000 births to 327. Life expectancy for women has risen from 44 years in 2001 to 64 years today. USAID will continue to help address urgent problems by providing basic health and essential hospital services to women in 13 provinces and supporting mid-wifery training programs.

Additionally, USAID's education programs in Afghanistan—whether focused on basic or higher education or on technical and vocational education and training (TVET)—have had a significant impact over the last 10 years. Today, 37 percent of the 8 million Afghan students in primary school are girls. Since 2001, more than 120,000 Afghan women have finished secondary school and 40,000 are working on university degrees. Earlier this week, USAID launched a new initiative, Promoting Gender Equality in National Priority Programs (PROMOTE), which will invest in opportunities to enable educated women to enter and advance into decisionmaking positions in Afghanistan's public, private, and civil society sectors. USAID will further our commitment to Afghan women in education by providing an international scholarship program for Afghan women pursuing careers in highly technical professions and through the establishment of an Institute for Gender and Development Studies at an Afghan university.

If confirmed, I will seek to strengthen all these efforts and continue to be a strong voice for increased access to health care and education for women and girls worldwide.

Question. What efforts are being made to encourage women's participation in the political process in nascent democracies?

Answer. The U.S. Government supports the aspirations of women around the world, especially those in nascent democracies, who seek to participate fully in the political lives of their nations. U.S. officials regularly convey to foreign officials and civil society representatives that security, stability, and economic prosperity cannot be achieved without the participation of women.

U.S. officials regularly meet with women's rights activists to support their efforts. They also encourage governments, political parties, police and security forces, religious leaders and other civil society groups to include more women in their organizations, and to listen to and act on the concerns of women's rights advocates.

Around the world, the United States is actively supporting women's political empowerment. For example, the Middle East Partnership Initiative (MEPI) funds initiatives to support emerging women leaders, including the Arab Women's Leadership Institute (AWLI). AWLI trains female elected officials and women leaders to support their efforts to lead constituent-driven reforms. AWLI trainees have gone on to win public office and play active roles in developing advocacy efforts. The Women in Public Service Project, an initiative launched by the State Department and several leading women's colleges, identifies, trains, and mentors young women leaders from countries in transition.

The United States and Tunisia cohosted the ninth Forum for the Future in 2012, which brought together government officials from 21 Middle East and North African countries (including Tunisia, Egypt, Libya, and Yemen) and G8 countries, and civil society and private sector representatives. Ministers agreed by consensus to the Tunis Declaration, recognizing that the full and equal participation of all people regardless of race, sex, or religion, is critical for political and economic development. Ministers, in particular, publicly recognized the critical role women play in the transformations underway in the Broader Middle East and North Africa (BMENA) region, and underscored the importance of making progress on longstanding BMENA objectives related to gender equality, with a view to achieving women's full political, social, and economic empowerment.

In Egypt, the President, the Secretary of State, and other senior officials have made clear to Egyptian leadership the need for a transparent, inclusive, democratic government in Egypt that respects universal human rights, including the political rights of women. Along with USAID, the State Department has programs on the ground that work in partnership with local civil society organizations to reinforce these values.

I understand the U.S. Government is watching closely how the Egyptian Government drafts and implements the new constitution. Human rights activists have raised concerns about provisions in the constitution that could limit women's rights. If confirmed, I will continue to highlight the importance of equal protection under the law and urge the Egyptian Government to include women in the ongoing transition process. The interim President of Egypt recently swore in three women ministers in his new Cabinet.

In Syria, U.S. officials continue to reiterate that no transition can be considered inclusive and democratic if it does not include the concerns and participation of Syrian women.

In the Balkans, the Office of Global Women's Issues is working with our Embassy and mission in Pristina and the Government of Kosovo to implement an ongoing initiative to highlight the work and build the capacity of women leaders in government, politics, and civil society in fighting corruption and to advance key elements of the rule of law in their societies.

In Afghanistan, the United States provides extensive support to bolster women's participation in the political process and support advocacy efforts through equal voter registration outreach, assistance to women candidates, gender equality in political parties, and support of female Parliamentarians and diplomats.

**NOMINATIONS OF MORRELL JOHN BERRY,
DANIEL CLUNE, AND JOSEPH YUN**

TUESDAY, JULY 23, 2013

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

Hon. Morrell John Berry, of Maryland, to be Ambassador to Australia
Daniel Clune, of Maryland, to be Ambassador to Laos
Joseph Yun, of Oregon, to be Ambassador to Malaysia

The committee met, pursuant to notice, at 9 a.m., in room SD-419, Dirksen Senate Office Building, Hon. Benjamin L. Cardin, presiding.

Present: Senators Cardin, Kaine, and Rubio.

**OPENING STATEMENT OF HON. BENJAMIN L. CARDIN,
U.S. SENATOR FROM MARYLAND**

Senator CARDIN. As I was explaining to our distinguished panel of nominees, there is a Senate Foreign Relations Committee meeting at 10:15 this morning. So we are going to start on time.

I know that Congressman Hoyer will be here, and we will interrupt when my colleague arrives. He has indicated he is probably about 5 to 10 minutes out. So I expect he may be here before I finish my opening comments.

I want to acknowledge Ambassador Beasley, the Ambassador from Australia to the United States. It is a real pleasure to have you in our committee room, and thank you very much for your representation of a close friend and ally of the United States.

Let me also first acknowledge that Senator Corker, I expect, will be by sometime during the hearing.

And I thank Chairman Menendez for allowing me to chair today's hearing. As the subcommittee chair for East Asia and Pacific, I am particularly pleased with the three nominees that are present today: John Berry, the nominee to be Ambassador to Australia; Dan Clune, to be Ambassador to Laos; and Joseph Yun, to be Ambassador to Malaysia, all three critically important countries to the United States.

I deeply respect all three of you, but two of you have the distinct good sense to be Marylanders, and I thank the two Marylanders that are here. Nothing against Oregon, but we do take care of our

own State's people first. So the order of presentation, we will have Mr. Yun go third. [Laughter.]

Let me also just point out that all three of these countries are very important to our rebalance to Asia, President Obama's commitment to focus on the importance of Asia to the United States.

John Berry brings a wealth of experience, OPM leadership, in an extremely challenging time, and we thank you for the work that you have done there, a Deputy Assistant Secretary at Treasury, your environmental record, which is particularly important for Australia and United States, having been involved in the National Fish and Wildlife Foundation and National Zoo director and extraordinary work that you did there, and then surviving working for Congressman Hoyer. If you can survive Congressman Hoyer, you should do very well in Australia. So we welcome you, a personal friend, and I thank you for your continued commitment to public service.

Dan Clune. The good news about Dan, his wife is a Terp. Congressman Hoyer will appreciate that very much. And I am very happy that your son and daughter-in-law are alumni of the University of Maryland Law School. So that also shows good judgment. A career diplomat, Principal Deputy Assistant Secretary for the Bureau of Oceans and Environment and Scientific Affairs, served in the Embassies of Nassau, Lima, Jakarta, and Canberra. So you certainly bring a great experience to this post.

And Joseph Yun, who has been an advisor to me as chair of the Subcommittee on East Asia and the Pacific, helped me prepare for my first visit to that region, testified before our subcommittee on two previous occasions. We are going to miss you tomorrow at the hearing. A career diplomat, acting Assistant Secretary for East Asia and Pacific Affairs, has served in the Embassies of Bangkok, Thailand, Seoul, Paris, and Hong Kong. We are not going to ask you which one you enjoyed the most out of all those assignments. But you bring a wealth of experience.

I particularly want to thank not just the nominees for your willingness to continue in public service but your families. I said it privately, but let me just put it on the record. It is an incredible sacrifice that the families share in the public service that you all have undertaken, and we very much appreciate that and want to acknowledge that. And we welcome the family participation in the responsibilities of your office.

Each of these countries are very important to the rebalanced Asia. Asia is very important to the United States for many reasons: for military reasons, for strategic issues, economic issues, environmental issues. Australia is a strategic ally of the United States. We rely on Australia's cooperation with us on military issues since World War I. A key TPP negotiator, and one of our key environmental partners.

Laos is a member of the ASEAN group, is very important on environmental issues, particularly the Lower Mekong Initiative. We still have the problems of healing the problems of the war. I am particularly concerned about demining unexploded ordnances. It is my understanding about 100 casualties a year, many of whom are children. That should be of great interest to our relationship with Laos. It presents real challenges on human rights, the human traf-

ficking issues, the freedom of expression. So it is a challenging post and a very important post.

Malaysia is a moderate Muslim majority democratic nation, a key partner in ASEAN. It recently entered into with Maryland's Johns Hopkins University School of Medicine in helping to build Malaysia's first fully integrated private medical school. That is certainly a connection that we want to encourage. It is a TPP aspirant, but has challenges, challenges in the rights of its opposition, the freedom of expression, the freedom of the press. These are issues that we will certainly want to hear from the nominees as to how you will represent the United States in advancing all of these goals.

So, again, welcome to the hearing. Your full statements will be made part of the record. You may proceed as you see fit. As soon as Senator Corker or Congressman Hoyer arrives—look at that. Right on cue. I am telling you, he has been waiting outside for this moment. [Laughter.]

But it is always a pleasure to have my friend come over to the Senate side of the Congress and acknowledge that there is the United States Senate and that we do work—

[Laughter.]

Senator CARDIN [continuing]. And that there is a relevancy to the United States Senate. But we very much admire and appreciate Congressman Hoyer's incredible role in not only leadership in our State of Maryland but his national leadership. We are very proud of the bridges that he has built to move forward on issues and bring this Nation and make it stronger. As I have already indicated before, it is an honor for him to be here to introduce to our committee his friend and former staff person, John Berry.

Congressman Hoyer.

**STATEMENT OF HON. STENY HOYER,
U.S. REPRESENTATIVE FROM MARYLAND**

Mr. HOYER. Well, Mr. Chairman, thank you very much. It is always a privilege to visit with my dear friend. For those who are in audience, I am not objective. Ben Cardin and I went to the General Assembly together in 1966 before many of you were born, and we have served together for all those years in government. Ben Cardin, I think, is one of the finest legislators and human beings with whom I have had the opportunity to work ever. So thank you, Mr. Chairman.

And, Senator Kaine, good to be with you, sir, as well.

Mr. Chairman, we do not have a ranking member here right now, but Senator Kaine, members of the committee, I want to thank you for this opportunity to voice my strong support for John Berry to serve as our next Ambassador to Australia.

I have known John Berry since 1986 when a former staffer of mine called me up and said do you have a vacancy on your staff. And I said, well, not right now. He said, well, you need to fire somebody. [Laughter.]

I said, what do you mean? He said, you need to hire John Berry. He is one of the most extraordinarily talented human beings you are ever going to meet.

Well, it just so happens that somebody you know, Senator Cardin, John Moag, decided to leave just a month later, and I had the opportunity of asking John Berry to come on my staff and he worked from 1985 to 1994.

Throughout that time, John was instrumental in helping me serve the people of Maryland and the people of our country. After leaving my staff, John served in senior executive roles in the Treasury Department, the Smithsonian Institution, the Department of the Interior in the Clinton administration, and served in every one of those positions, as he did with me, with great distinction.

In 2000, he became the director of the National Fish and Wildlife Foundation where he worked diligently, which is an understatement when you refer to John Berry's work ethic, to improve conservation through innovation, public/private partnerships.

His commitment to our Nation's natural wildlife and habitat preservation was recognized further when John was appointed to serve as director of the National Zoo, and how he loved that job and the employees for every institution for whom he has worked, including my office, loved him. He was so successful at turning around the institution that had been faltering, that the zoo named a lion cub after him. I am not sure exactly what the significance of that is. [Laughter.]

But it is a recognition of the affection and respect with which he is held by everybody who has worked with him.

In 2009, President Obama selected John as director of the Office of Personnel Management. He got right to work making improvements in the way we recruit and retain a top notch Federal workforce, something that is important, of course, to all of us but important to every American. As OPM Director, John became one of our Nation's fiercest defenders of public service and the role Federal employees play in keeping our Nation safe and our economy strong. Even in the face of COLA freezes and cuts to the retirement benefits, John made a strong case for Federal employees to be recognized for their hard work with a pay comparable to the private sector. And he has made it a hallmark of his career to make sure that employees no longer face discrimination in the workplace based upon age, race, gender, religion, or sexual orientation. No one with whom I have worked has a greater commitment to individual liberty and fairness and justice than John Berry.

In every position in which he has served, he has elevated that office through his thoughtful approach to management, his natural ability to lead, and his commitment to achieving results.

Senator Kaine, I may have told this to Ben Cardin, but I called up the Secretary of the Interior. There was a vacancy in the Assistant Secretary for Planning, Management, and Budget. And I told him that he needed to hire John Berry, sort of like the guy who called me. I said, and if you hire him, you are going to find him to be the most capable, able, focused, and upbeat person you have ever worked with. And the Secretary said OK, well, yes. I have to touch base with the White House. He was not too enthusiastic, just another Congressman calling him to beat on him about something.

About a year later, he had hired John Berry, and a year later, I saw him in the airport. He came up to me. He said, Steny, you

know that guy you talked to me about, John Berry? I said, of course. You undersold him. [Laughter.]

I could not have been more generous in describing John Berry, and I undersold him according to the Secretary. He was right.

In every position in which he has served, he has elevated that office through his thoughtful approach to management. I already said that. John is someone who leads by example, which is an enormously important quality in someone who will be representing our Nation abroad.

In John Berry, the Australians will see the best of America because they will see a man committed to promoting our values of justice, quality, and opportunity. They will also come to know him as someone dedicated to preserving the earth's natural resources and wildlife, an issue, of course, that like so many Americans, Australians hold dear.

As the administration continues its strategic pivot toward Asia and the Pacific, Australia continues to be an instrumental partner to the United States in both security and trade. Australia remains one of America's closest and most important strategic allies, and our ties are based not only on common interests but on a shared heritage and a history of fighting side by side to defend democracy in two world wars.

I congratulate the Obama administration, for in that context, they have elected to send someone to Australia who the Australians will see as the perfect example of the good American, of the positive American, of the American who shares their values and respects them as a sovereign nation and dear friend. I am confident that John will continue to work to bring our countries even closer as Americans and Australians pursue our shared goals of peace, stability, and economic prosperity.

It says here I am going to urge you to support. I have no doubt that you are going to support John Berry. But I want all of you to know how fortunate America is that we have somebody of John Berry's skill and judgment and personality who has dedicated so much of his life to public service.

Mr. Chairman, I thank you for this opportunity to appear on his behalf.

Senator CARDIN. Well, Congressman Hoyer, thank you for coming over and sharing those thoughts on John Berry.

On OPM, I had the opportunity to sit there and introduce him to the committee. So your observations about my support is very accurate.

You are absolutely right about the upbeat nature. Sometimes it is just not fair.

Mr. HOYER. It drives you crazy, does it not?

Senator CARDIN. It does. [Laughter.]

Mr. HOYER. John, things are bad. Do you not understand? Things are bad. [Laughter.]

Senator CARDIN. Well, I cannot think of a more appropriate ambassadorship than Australia where he will, I think, create the type of relationship between two friends who are leaders on economic and environmental and military issues that will help us in the re-balance to Asia.

So thank you so much for sharing your thoughts with us today. I appreciate it.

Now, Mr. Berry, if you dare, you can now try to follow Mr. Hoyer. [Laughter.]

**STATEMENT OF HON. MORRELL JOHN BERRY, OF MARYLAND,
TO BE AMBASSADOR TO AUSTRALIA**

Mr. BERRY. Mr. Chairman, thank you so much, and again, thanks to Mr. Hoyer. It is always extremely humbling for his generosity. I never realized, when I started working for him in the 1980s, in the mid-1980s, was that I was also getting a second father, and he has been an amazing force in my life. And I am eternally grateful for his participation in my life.

Mr. Chairman, I am also extremely honored. As you mentioned, Ambassador Beasley is with us today from Australia. Ambassador Beasley is one of the most distinguished statesmen from Australia. I think in American history, you would have to go all the way back to Ben Franklin to find someone of such stature. And I am very honored and humbled that he would be here today.

My brother, Joseph, his wife, Jodi, and their son, Thomas, are here. Both my nephews, James Ramo and Kate London, are here. And my partner of 17 years, Curtis Yee, is here as well, and I am very grateful for the committee's allowing them to join us.

Mr. Chairman, as you know, America is a Pacific nation, and if confirmed, I will be the second generation of Berry's to serve our country in the Pacific. My father served in the First Marine Division at Guadalanal. He then moved on to fight in Papua New Guinea at Cape Gloucester, and then served aboard the USS *Bon Homme Richard* toward the end of World War II. I am named for my uncle, his younger brother, who was a Marine fighter pilot who was shot down and killed in action over Mindanao in the Philippines.

My partner, Curtis Yee, is a fourth generation Chinese American from Hawaii, and his uncle, Hiram Fong, was Hawaii's first United States Senator and America's first Chinese American Senator. And as a result, the President's nomination, for which I am extremely grateful and humbled to serve as a U.S. Ambassador in the Asia-Pacific region, has deep and personal meaning both to my family and to me.

If the Senate confirms me, my overarching goal as Ambassador to Australia will be threefold.

First, I will work to strengthen our alliance with Australia, which has served as an anchor of peace and stability in the Asia-Pacific region for more than 60 years.

America could not ask for a better friend, partner, and ally than Australia. Our relationship is built on a solid foundation of trust. It has been proven under fire and it is steeled by deeply held values. From World War I to the present day, America has not entered any major battle without Australians at our side. Thousands of Australians have made the ultimate sacrifice of laying down their lives.

America is profoundly grateful for Australia's sacrifices in pursuit of our common purposes. But our country is especially grateful that after 9/11 Australia stepped forward to help us counter ter-

rorism in Afghanistan, and we honor the contribution of their nation and most deeply the 40 proud Australians who have given their lives in combat there. And I would ask, Mr. Chairman, if I could, as part of the record to include the 40 names of those Australians.

Senator CARDIN. Without objection, they will be included in the record.

Mr. BERRY. Thank you, Mr. Chairman.

Second, if confirmed, I will endeavor to increase our mutual trade and investment.

The United States has \$136 billion in direct investment in Australia, more than any other country in the Asia-Pacific and twice the value of our investments in China. Our bilateral free trade agreement has already resulted in impressive returns, increasing our trade by 98 percent since 2004 and last year topping \$64 billion. And we are working today on trying to conclude a successful Trans-Pacific Partnership which will open up huge opportunities.

Finally, if confirmed, I will strive to further deepen our cultural, scientific, and conservation cooperation.

The United States and Australia share common objectives, a world that respects human rights and the rule of law, that benefits from transparent, free, fair, and open trade, and that settles our differences peacefully. We share a deep and abiding love of liberty and freedom, and we draw strength from our rich diversity and pride ourselves on providing opportunity or, as Australians say, a “fair go” for all. Our bonds with Australia are truly unbreakable.

At the Australian Parliament House in 2011, President Obama delivered his clarion message on the Asia-Pacific region and the United States commitment there. He stressed that the United States and Australia “alliance continues to be indispensable to our future,” and that, “in the Asia-Pacific in the 21st century, the United States of America is all in.”

Mr. Chairman, I am honored for the opportunity to appear before you today and happy to answer any questions that you might have.

[The prepared statement of Mr. Berry follows:]

PREPARED STATEMENT OF MORRELL JOHN BERRY

Mr. Chairman and distinguished members of the committee, thank you for the opportunity to appear before you today, it is a great honor. I am deeply grateful to President Obama for his confidence in nominating me to serve as the U.S. Ambassador to Australia. If confirmed, I promise that I will work tirelessly in service to our country.

For the past 4 years, I have had the distinct privilege of serving as the President’s Chief People Person as head of the Office of Personnel Management. OPM is a relatively small agency, but it has a broad reach and a tremendously important mission—to recruit, retain, and honor a world-class workforce. In my role at OPM, I traveled throughout the country meeting with students and universities, veterans, employee groups, tribal communities, Fortune 500 companies, affinity groups, and civil servants. Every day, across our government and private sector, I witnessed remarkable innovations and accomplishments. I saw first-hand the dedication and hard work of men and women committed to making our Nation and our world a better place.

Along the way, I was reminded again and again of the tremendous diversity of our great country, building lasting relationships with fellow Americans from all backgrounds as we worked together to address shared challenges. If confirmed, I will carry with me these many voices of America, along with a profound commitment to strengthening the shared values that lie at the heart of our strategic relationship with Australia.

America is a Pacific nation, and, if confirmed, I would be the second generation of Berrys to serve our country in the Pacific. My father, Morrell Berry, fought in the First Marine Division at Guadalcanal, at Cape Gloucester in Papua New Guinea, and as a Marine gunnery sergeant aboard the USS *Bon Homme Richard*. My uncle Jack, for whom I am named, served as a U.S. Marine fighter pilot during World War II and was killed in action over the Philippines. My partner, Curtis Yee, is a fourth generation Chinese American from Hawaii, and his uncle Hiram Fong was Hawaii's first U.S. Senator and the first Chinese American Senator. As a result, the nomination to serve as a U.S. Ambassador in the Asia-Pacific region has deep meaning to my family and to me.

As proud as America's past has been in the Pacific, our future promises only to be brighter. President Obama and both Secretaries Clinton and Kerry have made clear that America will remain fully engaged in the Asia-Pacific region in the 21st century, using our alliances for mutual good. Without question, one of the United States greatest alliances is with Australia.

If confirmed, my overarching goals as Ambassador to Australia are threefold.

First, I will work to strengthen our strategic alliance with Australia, which has served as an anchor of peace and stability in the Asia-Pacific region and the world for more than 60 years.

America could not ask for a better friend, partner, and ally than Australia. Our relationship is built on a solid foundation of trust, proven under fire, and steeled by deeply held shared values. From World War I to the present day, America has never entered a major battle without Australians firmly by our side. Thousands of Australians have made the ultimate sacrifice, laying down their lives alongside our own brave service men and women in pursuit of freedom and a better world.

America is profoundly grateful for Australia's sacrifices in pursuit of our common purposes. We are especially appreciative that after 9/11, Australia stepped forward to help us counter terrorism in Afghanistan, and we honor the 40 proud Australians who have fallen in combat there. I would ask, Mr. Chairman, that I be allowed to enter the names of those brave soldiers in the official record of this hearing.

The U.S.-Australia defense and security relationship is rock solid. Right now in northern Australia, more than 30,000 U.S. and Australian service members are taking to the sea, land, and sky as part of Exercise TALISMAN SABER 2013—a biennial combined training activity designed to improve the combat readiness and interoperability of our forces.

As part of the force posture initiatives announced by President Obama in November 2011, U.S. Marines are also conducting exercises and training on a rotational basis with the Australian Defence Force in Darwin and Northern Australia, which will enable both countries to join with other partners to respond in a timely and effective manner to a range of contingencies in the Asia-Pacific, including humanitarian assistance and disaster relief in the region. The President summed it up succinctly: "The United States is a Pacific power, and we are here to stay."

If confirmed, I pledge to do everything in my power to strengthen our strategic alliance and to ensure that we are fully prepared to work together to respond to the challenges of tomorrow, whether they are on land or at sea, in space or in cyberspace.

Second, if confirmed, I will endeavor to increase our mutual trade and investment.

The United States has \$136 billion in direct investments in Australia, more than in any other country in the Asia-Pacific and more than twice the value of our investments in China. Our bilateral Free Trade Agreement has resulted in impressive returns benefiting both countries—bilateral trade in goods and services has increased by nearly 98 percent since 2004, topping \$64 billion in 2012. Australia is a key center of operations for many U.S. companies, and their work there brings technology and capital into Australia, and creates jobs and enhances our exports sector here at home.

Today, we are also working with Australia to conclude the Trans-Pacific Partnership, the ambitious, next-generation, trade agreement that reflects our shared economic priorities and values and whose members span the Asia-Pacific.

If confirmed, I will work to strengthen our economic relationship with Australia and the Asia-Pacific region.

Finally, if confirmed, I will strive to further deepen our cultural, scientific, and conservation cooperation.

The United States and Australia share strong people-to-people ties, with some 400,000 Americans visiting Australia and around 1 million Australians visiting the United States last year alone. Academic exchanges are a critical part of our relationship with Australia. From food security and linguistics to oncology and renewable energy, students and scholars are bringing our countries ever closer together through cooperative innovations in the service of all humankind.

The United States and Australia share common objectives—a world that respects human rights and the rule of law; benefits from transparent, free, fair and open trade; and settles differences peacefully. We share a deep and abiding love of liberty and freedom. We both draw strength from our rich diversity and pride ourselves on providing opportunity or a “fair go” for all. Our bonds with Australia are truly unbreakable.

At the Australian Parliament House in 2011, President Obama delivered his clarification message on the Asia-Pacific region and the United States commitments there. He stressed that the U.S.-Australia “alliance continues to be indispensable to our future,” and that, “[i]n the Asia Pacific in the 21st century, the United States of America is all in.”

To conclude, I am deeply honored to be nominated for the position of U.S. Ambassador to Australia, and welcome the opportunity to lend my experience, passion, and dedication to enhancing our relationship with one of our strongest allies and partners, and to cementing the United States commitment to the Asia Pacific.

Mr. Chairman, I thank you for the opportunity to appear before you today and stand ready to answer any questions that you and other members may have.

Senator CARDIN. Thank you very much, Mr. Berry.

We have been joined by Senator Rubio who is the ranking Republican on the East Asia and Pacific Subcommittee. He is willing to defer an opening statement due to the time issues that I mentioned at the beginning of this hearing. Thank you, Senator Rubio. I appreciate your cooperation.

Of course, Senator Kaine has been here. I appreciate both my colleagues being here.

Mr. Clune.

**STATEMENT OF DANIEL CLUNE, OF MARYLAND,
TO BE AMBASSADOR TO LAOS**

Mr. CLUNE. Mr. Chairman and members of the committee, thank you for the opportunity to appear before the committee today. And thank you, Senator Cardin, for your kind introduction.

With your permission, I would like to briefly highlight five priorities outlined in the statement that has already been included in the record.

But, first, I would like to introduce the members of my family who are here today who have shared the adventures and the hardships of a 28-year career in the Foreign Service with me: my wife, Judy, and two of our daughters, Sarah and Katie.

Mr. Chairman, if confirmed, I would focus on five broad priorities.

First, the issues arising from the war in Vietnam, that is, the accounting for U.S. personnel missing in action and the removal of unexploded ordnance, as you mentioned, Mr. Chairman. And I welcome the cooperation of the Lao Government in both of these efforts. We have made great progress in accounting for missing personnel, locating and returning the remains of 266 missing to their loved ones, and will continue to search for the 309 still missing.

We have also made good progress in clearing unexploded ordnance, educating affected communities, and assisting the victims. Last year, casualties were reduced to 56, down from an annual average of 300, and we have increased annual funding for the program from \$5 million to \$9 million.

Another high priority for me will be promotion of human rights and the rule of law, a central pillar of the administration’s foreign policy. If confirmed, I will continue our efforts to help Laos reform its legal and regulatory systems and to speak forthrightly about in-

cidents such as the recent disappearance of Lao civil society leader, Sombath Somphone, and the return of nine young asylum seekers to North Korea.

Continued cooperation in the areas of health, counternarcotics, and the environment will also be a priority for me, including existing efforts to control infectious diseases, new efforts to address very high rates of child and maternal mortality, and support of Laos and other countries in the region on plans to construct dams on the main stem of the Mekong River. The Mekong underpins the livelihood of nearly 70 million people, and if confirmed, I will encourage cooperation between U.S. and Lao experts to minimize the impact of dams on local populations, habitat, and wildlife.

I will also work to strengthen people-to-people ties. With 70 percent of the Lao population under the age of 30, I intend to focus on building ties with students, young professionals, and government officials.

Finally, increasing U.S. trade and investment will also be a priority for me. The United States ranks 13th on the list of foreign investors in Laos and accounts for just 1 percent of its foreign trade. Laos joined the World Trade Organization earlier this year, and we are helping it to implement the reforms necessary to meet its WTO obligations. And I will work to acquaint U.S. businesses with the new opportunities this offers and encourage them to do more business in Laos.

Mr. Chairman and members of the committee, if confirmed, I look forward to working with the committee and other interested Members of Congress to advance U.S. interests in Laos.

Thank you again for the opportunity to appear before you today, and I am pleased to answer any questions you might have.

[The prepared statement of Mr. Clune follows:]

PREPARED STATEMENT OF DAN CLUNE

Mr. Chairman and members of the committee, thank you for the opportunity to appear before the committee today. I am deeply honored to have been nominated by President Obama to be the U.S. Ambassador to the Lao People's Democratic Republic. I am grateful for the President's confidence and to Secretary Kerry for his support of my nomination. If confirmed, I look forward to working with the committee and other interested members of Congress to advance U.S. interests in Laos.

I have served our country as a Foreign Service officer since 1985 and have led large interagency teams at two embassies and here in Washington. In my most recent position I served as the Principal Deputy Assistant Secretary in the Bureau of Oceans and International Environmental and Scientific Affairs. Previously, I was Deputy Chief of Mission and Charge d'Affaires at the U.S. Embassy in Australia. I have served previously in Southeast Asia, as the Finance and Development Officer at our Embassy in Jakarta.

If confirmed, I would be greatly honored to move our foreign policy goals forward as Ambassador to Laos. Among my priorities would be promotion of human rights, removal of Vietnam war era unexploded ordnance, accounting for U.S. personnel missing in Laos from the Vietnam war, and continued improvement of people-to-people ties.

With the resumption of full diplomatic relations in 1992, U.S.-Lao cooperation has improved significantly, but there have been ups and downs along the way. Former Secretary Clinton, during her historic visit in July 2012, became the first U.S. Secretary of State to set foot in the country since John Foster Dulles in 1955. Her visit reaffirmed the United States commitment to working with the Lao people to promote sustainable economic development and redoubling our efforts to remove unexploded ordnance, also known as UXO.

The cornerstone of our bilateral cooperation with Laos since 1985 has been the close cooperation in accounting for U.S. servicemen and civilians still missing in Laos from the Vietnam war. I am committed to returning these patriots to their

loved ones. I see this mission as a humanitarian one and welcome the Government of Laos' cooperation.

Continued cooperation between Laos and the United States in UXO removal has helped to reduce the number of unexploded ordnance casualties in 2012 to 56, down from an annual average of 300. If confirmed, I will continue to advance our efforts to not only clear the unexploded ordnance, but also to educate the affected communities on the dangers of UXO and assist the victims.

Earlier this year, Laos officially joined the World Trade Organization, which opened new avenues to integrate the country into the regional and global economies. The Department of State and USAID played an integral role in helping Laos reform its legal and regulatory infrastructure to be able to comply with WTO rules. A follow-on project will help them implement these reforms and move toward integration in the ASEAN Economic Community.

We will also continue our longstanding work with Laos to counter illicit drug cultivation, trafficking and addiction. Our assistance helped contribute to a sharp drop in illicit opium poppy cultivation from 1998 to 2007, and we are currently working to build support for science-based drug addiction treatment in Laos. Along with international partners, we are assisting the Lao Government in implementing its Legal Sector Master Plan framework for justice sector reform.

We have worked closely with Laos and other countries in the region to support improved decision making on plans to construct dams on the mainstream of the Mekong River. Managed poorly, dams can displace local inhabitants, irreparably alter the natural habitat, and threaten fragile aquatic life. The Mekong River underpins the livelihoods and food security for nearly 70 million people. If confirmed, I will encourage cooperation between U.S. and Lao experts on smart hydropower development to sustainably develop energy resources and reduce negative impacts to local populations, habitat, and wildlife.

The United States and Laos have cooperated very closely on health-related issues like the control of infectious diseases. If confirmed, I hope to devote more attention and resources to the issues of undernutrition and the high rates of infant, child, and maternal mortality. Malnutrition is the single largest cause of child mortality in Laos with 59 percent of all child deaths related to nutritional deficiencies.

This problem will affect Laos' social and economic development in the future and urgently needs to be addressed.

Despite the progress in our relationship, recent incidents have raised serious questions regarding the Lao Government's adherence to its international human rights obligations. The December 15, 2012, disappearance of Lao civil society leader, Sombath Somphone, from a police post in downtown Vientiane continues to have a chilling effect on civil society. The failure of Lao authorities to conduct a transparent investigation and account for Mr. Sombath's disappearance calls into question the government's commitment to uphold human rights and the rule of law. I am also concerned about the Lao Government's decision on May 27 to return nine young North Korean asylum seekers to North Korea. I hope this action does not signal a trend of sending future asylum seekers back to their home country against their will.

The increasing openness of the economy, growing access to the Internet, and the recognition by the Lao Government of the importance of English language skills presents an opportunity to engage the Lao public through cultural and educational exchanges. With 70 percent of the Lao population under the age of 30, I intend to redouble mission efforts to build ties with students, young professionals, and young government officials.

The U.S. mission in Laos is small but growing; with approximately 36 direct hire Americans and 230 local staff. I am pleased to inform the committee that construction of the New Embassy Compound should be completed in September 2014. The new facility will provide a safe working environment for the dedicated and highly capable American and Lao staff members of the U.S. mission. I look forward to the mission moving to this new facility, and if confirmed, to advancing the goals of the American people. Of course, I would also welcome visits by you or members of your staff.

Mr. Chairman and members of the committee, thank you for this opportunity to appear before you today. I am pleased to answer any questions you may have.

Senator CARDIN. Well, thank you very much for your testimony.
Mr. Yun.

**STATEMENT OF JOSEPH YUN, OF OREGON,
TO BE AMBASSADOR TO MALAYSIA**

Mr. YUN. Mr. Chairman, Senator Rubio, and Senator Kaine, it is an honor for me to appear before you today as President Obama's nominee to be the next Ambassador to Malaysia.

Mr. Chairman, with your permission, I would like to take this opportunity to introduce to you and the committee my wife of 35 years, Melanie, who has been with me in all our foreign and domestic assignments. Our son, Matthew, could not be here today because he is working in Oregon. He grew up as a Foreign Service brat, moving from country to country, school to school. Melanie and Matt really do exemplify our Foreign Service families. We ask a lot from them, and I cannot thank them enough.

Mr. Chairman, this nomination is very meaningful to me. As a career member of the Foreign Service, I have devoted 27 years of service to promoting American interests abroad. My main motivations for joining the Foreign Service in 1985 were twofold.

The first was the example of my father, who was a medical doctor devoting most of his professional life in Africa, working for the World Health Organization, establishing hospitals and clinics. He exemplified for me the concept of public service, and I wanted to follow in his footsteps.

The second was the searing impression left on me by the 1979–1980 Iran Embassy hostage crisis, especially the courage shown by men and women of our Embassy in Tehran. I wanted to belong to such a community that exemplifies honor and loyalty.

If confirmed, I will have an opportunity to lead such a community, and I cannot think of a higher honor. The men and women who work in our missions overseas, whether they are Americans or locally engaged staff, whether they are from the State Department or from other USG agencies, are our greatest assets. If confirmed, I pledge to maintain high ethical and managerial standards. I will insist on the best possible security for our personnel, property, and national security information. I will also insist on full, clear, and transparent communications between the Embassy and Washington, including with you, members and staff of this committee.

Mr. Chairman, over the past 4 years, I have worked as Deputy Assistant Secretary, Principal Deputy Assistant Secretary, and the last 6 months as Acting Assistant Secretary for the East Asian and Pacific Bureau. In that capacity, I have testified in front of your committee, as you mentioned, on several occasions, and I have discussed various aspects of the administration's Asia policy with you and committee staff on many occasions.

Much of our discussions have focused on the administration's strategic commitment to rebalance our policy toward the Asia-Pacific. I want to take this opportunity to thank you and members of the committee and staff for your support and counsel, which I have greatly valued.

The administration's policy in Malaysia is very much consistent, indeed, a part of our Asia rebalance policy. This policy is founded upon expanding trust and understanding, growing mutual prosperity, and ensuring peace and security in the broader region. Malaysia has become an important supporter of the U.S. rebalance to Asia-Pacific. If confirmed, I will work to make the United States-

Malaysia relationship stronger still because I firmly believe that we have much to gain through expanded trade and investment, people-to-people exchanges, and deeper cooperation on issues such as climate change, energy security, counterterrorism, and nonproliferation.

Mr. Chairman, on the political side, while we were very pleased—I think you did mention in your opening statement about the election—to see a very large turnout in a very hotly contested election earlier this year. However, we did note with concern allegations of voter fraud and arrest of opposition members.

Mr. Chairman, advocacy for democratic freedoms is an essential pillar of what we do abroad. Throughout my 27-year career, I have worked toward this end, most recently as the point man for the State Department for reforms in Burma. If confirmed, I will strongly uphold this objective in Malaysia.

Malaysia is an important partner for the United States, and if confirmed, I look forward to representing the United States as our Ambassador, leading our Embassy and enhancing our relationship with Malaysia.

Thank you for the opportunity to speak to you today, and I welcome any questions you may have.

[The prepared statement of Mr. Yun follows:]

PREPARED STATEMENT OF JOSEPH YUN

Chairman Cardin, Senator Rubio, and distinguished members of the committee, it is an honor to appear before you today as President Obama's nominee to be the next Ambassador to Malaysia. I am deeply grateful to President Obama and to Secretary Kerry for placing their confidence in me with this nomination to serve the United States of America.

With your permission, Mr. Chairman, I would like to take this opportunity to introduce to you and the committee my wife of 35 years, Melanie, who has stood by me in all our foreign and domestic assignments. Our son, Matthew, could not be here today, because he is gainfully employed in Oregon; he grew up as a "foreign service brat," moving from country to country, school to school. Melanie and Matt exemplify our foreign service families—we ask a lot from them—and I cannot thank them enough.

Mr. Chairman, this nomination is very meaningful for me because, as a career member of the Foreign Service, I have devoted 27 years of service to promoting American interests abroad, mostly in Asia. My main motivations for joining the Foreign Service in 1985 were two. First was the example of my father, who was a medical doctor, devoting most of his professional life in Africa, working for the World Health Organization, establishing hospitals and clinics; he exemplified public service, and I wanted to follow in his footsteps. Second was the searing impression made on me by the 1979–80 Iran Embassy hostage crisis, especially the courage shown by the men and women of our Embassy Tehran—I wanted to belong to such a community that exemplifies honor and loyalty.

If confirmed, I will have an opportunity to lead such a community; I cannot think of a higher honor. The men and women who work in our missions overseas—whether they are American or locally engaged staff, whether they are from the State Department or other USG agencies—are our greatest assets. If confirmed, I pledge to maintain high ethical and managerial standards. I will insist on the best possible security for our personnel, property, and national security information. I will also insist on full, clear, and transparent communications between the Embassy and Washington, including with you, members and staff of this committee.

Mr. Chairman, over the past 4 years, I have worked as Deputy Assistant Secretary and Principal Deputy Assistant Secretary—and last 6 months as Acting Assistant Secretary—for the East Asia and Pacific Bureau. In that capacity, I have testified in front of your committee on several occasions and I have discussed various aspects of the administration's Asia policy with you and committee staff on many occasions.

Much of our discussions have focused on the administration's strategic commitment to rebalance our policy toward the Asia-Pacific. I want to take this opportunity

to thank you and members of committee and staff for your support and counsel, which I have greatly valued.

The administration's policy in Malaysia is very much consistent, indeed an integral part, of our Asia rebalance policy. This policy is founded upon expanding trust and understanding, growing mutual prosperity, and ensuring peace and security in the broader region. I know Malaysia has become an important supporter of the U.S. rebalance to Asia-Pacific; if confirmed, I will work to make the U.S.-Malaysia relationship stronger still, because I firmly believe that we have much to gain through expanded trade and investment, people-to-people exchanges, and deeper cooperation in issues such as climate change, energy security, counterterrorism, and non-proliferation.

The United States has extensive bilateral and multilateral cooperative agenda with Malaysia. We are working together to increase the security of our populations and the safety of our borders. Our law enforcement cooperation has increased in recent years, as we have jointly fought terrorism, proliferation, trafficking in persons and narcotics, and other serious crimes. We are continuing to improve an already strong military relationship through exercises, security dialogues, ship visits, military education, and joint training.

Malaysia is also an important commercial and economic partner for us. Our bilateral trade totals over \$39 billion. This year we look forward to concluding our first free trade agreement with Malaysia, through the Trans-Pacific Partnership (TPP). We are engaging all our TPP partners, including Malaysia, to secure commitments to achieve a high-standard agreement that expands market access and establishes common rules for a level playing field. We also are thrilled with Malaysia's hosting of the fourth Global Entrepreneurship summit in October. This important presidential initiative will energize, empower, and connect entrepreneurs from around the region and around the world.

Our growing people-to-people connections reflect the overall growth of the bilateral relationship. Most significantly, the Fulbright English Teaching Assistant program—our third-largest program of its kind—Malaysia currently hosts 75 English Teaching Assistants who are placed in Malaysian communities, and that number is set to increase to 100 next year.

Travel to the United States by the Malaysian people is also on the upswing. Since fiscal year 2010, there has been a 23-percent increase in the number of Malaysians applying for visas (tourist, student, and work) to visit the United States temporarily, and this increase cuts across all major ethnic groups in the country.

On the political side, while we were extremely pleased to see large voter turnout in a hotly contested election earlier this year, we noted with concern allegations of voter fraud and arrest of opposition members.

Advocacy for democratic freedoms is a central pillar of what we do abroad. Throughout my 27-year career I have worked toward this end; most recently as the point man in the Department for reforms in Burma. If confirmed, I will strongly uphold this objective in Malaysia.

Another area in which we can work together with Malaysia is on human trafficking. Malaysia just entered its 4th consecutive year on the Tier Two Watch List for human trafficking. If confirmed, I will prioritize working with the Malaysian Government and civil society to help improve its trafficking victim protection regime.

Malaysia is an important partner for the United States. If confirmed, I look forward to representing the United States as our Ambassador, leading our Embassy, and enhancing our relationship with Malaysia.

Thank you for the opportunity to speak with you today, and I welcome any questions you may have.

Senator CARDIN. Well, thank you, Mr. Yun. I appreciate your testimony and your service.

When you and I first met, we talked about good governance. We talked about human rights issues, and we talked about the challenges we have in the Pacific because we have countries that are some of the greatest democracies in the world and we have some of the most repressive governments in the world.

My question is going to be to all three of you on how we are going to advance good governance and human rights, and I particularly want to acknowledge that Senator Rubio, the ranking Republican on the subcommittee, and I have worked together on this

agenda in this Congress, that we are going to put a spotlight on human rights issues. Our first hearing was on good governance and human rights. In my visit to the region, it was one of the primary focuses that I did in all three countries that I visited.

The Foreign Minister of Australia, Foreign Minister Carr, stated in a March 2013 statement that he wants to work with the United States on promoting human rights and development of democracy and good governance through the Asia-Pacific region.

So let me start with Mr. Berry, if I might. Australia shares our values, one of the great democracies in the world. How can the United States and Australia work together to promote good governance in a region where there are many countries that are very challenged in that direction?

Mr. BERRY. Mr. Chairman, I think it is an incredibly important pillar in our relationship and one that Australia has stepped forward in a significant way. Most recently, they increased their willingness to accept political refugees to a number, almost doubling their commitment, which makes them second only to the United States in their willingness to step forward to help people who are seeking political asylum, according to the U.N. convention standards.

The Australians are also heavily involved with us on so many issues of human rights. Human trafficking, as we know, is a major issue throughout the Asia-Pacific, and Australia is working closely with our professionals at the Department of State and our law enforcement folks throughout the region to, hopefully, beat back an issue that we know has a human toll that is reprehensible. It is modern day slavery, and that is something that we all must commit to ending. And we have a great partner in Australia in that regard.

Otherwise, we are involved in almost every front through the United Nations, Mr. Chairman. You know, Australia will take over the seat on the Security Council this coming fall, and in that capacity, they have advanced this as one of the most significant issues of their concern and their leadership in that body. And so we will look forward to working diplomatically on all of these issues, which I know that you and the ranking member and Senator Kaine care so deeply and passionately about. Thank you for your leadership.

Senator CARDIN. Mr. Clune, Mr. Berry mentioned trafficking. In Laos, the reports are not favorable at all as to the current situation on human trafficking in Laos. The freedom of expression is very much not respected in the country. How will you, if confirmed as the Ambassador, help advance our goals for good governance and respect for rights in Laos?

Mr. CLUNE. Thank you, Senator.

Human rights is one area where we do have differences with the Government of Laos. If confirmed, I would work in three areas. One, as I mentioned, is to speak very forthrightly about incidents which involve violations of human rights, and I mentioned the arrest of the NGO leader Sombath Somphone and the return of the nine very young asylum seekers to North Korea.

But I also think it is important to help build institutions, and we do have some small programs to help Laos institute reforms in its legal and regulatory systems. One is a USAID-funded project de-

signed to help them implement their WTO obligations, and our International Narcotics and Law Enforcement Bureau has a program to strengthen the judicial sector and provide training to judges and police. I think the more we can strengthen those institutions, the better chance there will be for the government to respect human rights.

And third—and I think in a way this may be the most important of all, and that is to really work on people-to-people ties because the one thing I think we can offer to the Lao people is our experience as a free and democratic society, and as we reach out to especially the younger members of the Lao population, I think we can persuade them that respect for human rights is really essential to their prosperity and security in the future.

Senator CARDIN. Thank you.

Mr. Yun, Malaysia is a democratic state, and yet the way that it deals with its political opposition, the way that it tightens on freedom of expression is a major concern. How do you balance that, if confirmed as the Ambassador, to continue to promote democracy but point out our concerns about—I think universal concerns about the freedom of expression?

Mr. YUN. Mr. Chairman, of course, those are difficult issues.

I think one tool we should use more is multilateral forums and multilateral diplomacy. We have a great example, for example, in OSCE. You, yourself, are chairman of the U.S. Helsinki Commission and some of the countries in Asia have recently become dialogue partners in OSCE.

Another tool is, of course, the ASEAN, and there is a human rights dialogue that goes on there.

And so my experience especially dealing with tough domestic, political, freedom issues is also to do more multilaterally, whether it is in the ASEAN setting and others.

But in the end, Mr. Chairman, I do believe we do have to speak our mind. We do have to speak very clearly not just to the government but to others. And in that sense, also the growth of civil society throughout the region is an important tool. And I do believe that in many of these debates, there is beginning to be more—the gap is now narrowing. We have witnessed that, you know, for example, in Indonesia over the last 10 years and certainly in Burma over the last few years. And so I think there is generally a good trend and generally emerging consensus.

Thank you.

Senator CARDIN. Thank you.

Senator Rubio.

Senator RUBIO. Thank you all for your service to our country and for being willing to step up and be nominated to these posts.

Let me begin with you, Mr. Clune, and Laos, and I have a couple of questions. Let me just go right to the issue of the nine North Korean defectors. My understanding is that these were orphans between the ages of 15 and 23, were traveling through Laos to reach South Korea. They were detained by authorities and they were forcibly repatriated to North Korea. We do not know their fate. Previously, of course, Laos had been a safe haven for defectors and had assisted many in finding safety to South Korea. Is this a policy change on behalf of the government? Are we seeing a change on the

ground there? What is behind that? And by the way, what did we do or what do we know about that case moving forward?

Mr. CLUNE. Senator, I fully share your concerns about that incident. Following the detention of the nine young orphans, we and the South Koreans and various members of the European Union made repeated representations to the Lao Government about that case and insisted that they fulfill their international obligations and not return these asylum seekers to a place where they obviously would be in danger.

Following that incident and following our representations, there was another group of asylum seekers, 20 individuals from North Korea, who were allowed to travel on to South Korea. So we hope this signals a return to their previous policy, but in any case, we will very closely monitor that situation, along with our friends in South Korea and Europe, and consult with this committee about the situation going forward.

Senator RUBIO. Let me pivot to another concern which I have as well about Malaysia. And it is about the increasing encroachment on religious liberties, which I think is an essential human right.

In Laos—and maybe you could comment on this, but the government continues to impose legal restrictions on the freedom to fully worship. For example, we have seen multiple news reports that it is common practice for local village leaders to expel and harass Christians with little fear of repercussion from the government for that.

What is the state of that and what are our efforts to speak out loudly about how that is unacceptable behavior?

Mr. YUN. We do, as you know, have an annual freedom of religion report, and that report really does take a considerable amount of resources and we do it fairly actively. And I would say religious freedom in Malaysia, as it is in the region, is becoming much more serious, especially the polarization between the Muslim and Christian community, and Christians are, of course, in the distinct minority.

Senator Rubio, like many issues, I do believe that this is a factor of what is happening, for example, in the Middle East and elsewhere. And Secretary Kerry was out there in Brunei about a month ago. I accompanied Secretary Kerry. On that occasion, he did talk a lot about what he is doing in terms of Middle East peace. And really what the leaders of this region want to see is less polarization, and we need to help them.

Senator RUBIO. And Malaysia is important. It is a democratic country. And I am going to have some specific examples here in a second.

But just in general on the issue of Laos, what is the situation there? This is still one of the world's remaining Communist countries. So it is not surprising. But how would you describe—I guess we all agree that religious liberty is not really existent for Christians in particular in Laos. And is that going to be part of our relationship with them to be a voice on behalf of those who are being persecuted in these official and unofficial ways?

Mr. CLUNE. Definitely, Senator Rubio. Laos, of course, is a one-party authoritarian state, and as I mentioned, we do have very significant differences with them on human rights issues.

On the question of religious freedom, I think looking back over many years, there has been some progress in Laos, and there is a law that has been passed which is intended to guarantee religious freedom. There is a section of the central government that is charged with that, but the enforcement on the ground is uneven at best. And I think the religious freedom report mentioned that there are cases where the provincial and local leaders are not following the law that has been passed by the central government. And if confirmed, I will closely monitor that situation and certainly bring the government's attention to those kind of cases.

Senator RUBIO. Our hope is, if you are confirmed, you will not just monitor and bring attention but that you will be a forceful advocate on behalf of those who are being oppressed. I think it is important for the United States that our representative there be someone who speaks clearly on these issues.

Malaysia is a different challenge. I want to briefly describe, in the time that I have left, kind of the situation there on the ground. The ruling party—and if I mispronounce this—Barisan Nasional—they ran a campaign where they put up a bunch of billboards carrying pictures of churches during the election campaign which asked the people in the Malay language, do we want to see our children and grandchildren pray in this Allah's house? If we allow the use of the word "Allah" in churches, we will sell our religion, race, and nation. Vote Barisan Nasional because they can protect your religion, race, and nation.

As a followup to that, one of the first efforts from the ruling government was to try to pass a law which, I understand, has been withdrawn at this time. But what the law basically said was that if just one of the two parents consent that a child could be forced to convert to Islam. And this is a country—correct me if I am wrong—where being a Muslim grants you special rights and privileges under the law that other religious minority—or other religious groups do not have. Of course, this is very concerning because there have been cases, particularly of men, fathers, who will try to force their children to convert in an effort to access these benefits. So we are concerned about that.

And then just a couple of days ago, we get this report from the AFP that basically says that several Islamic groups on Friday are demanding the recall of the Vatican's first envoy to Malaysia describing him as an enemy of the state after he supported the use of the word "Allah" by non-Muslims. Dozens of protesters gathered outside the Vatican's mission in Kuala Lumpur after prayers on Friday urging the government to expel Archbishop Joseph Marino.

He, by the way, has apologized for using those terms. I am not sure why, but it was not enough for some Muslim organizations. They consider him an enemy of the state. His actions have strained race relations in this country.

What is the state of this with regard to the government, and what are your plans, if confirmed, to be a forceful voice on behalf of religious liberty in a so-called democracy?

Mr. YUN. Thank you, Senator Rubio.

I do believe that we have to partner with the Government of Malaysia. They are the moderating voice. In fact, the Prime Minister of Malaysia has started a movement called Global Movement of

Moderates, GMM, and it is very important we support these elements in society who are forwarding moderation. If confirmed, we will work effectively with these partners so that voice of moderation and there is less polarization. And I think that ought to be the message of the United States.

Senator RUBIO. I just have one final question. I am sorry. I am over my allotted time.

But if you are confirmed and cases like this arise and we bring them to your attention, will you be a forceful voice on behalf of those, particularly religious minorities, in Malaysia who are being persecuted on an ongoing basis?

Mr. YUN. Absolutely, sir.

Senator RUBIO. Thank you.

Senator CARDIN. Let me just add my total support for Senator Rubio's questioning. The two of us have talked about religious rights in the East Asia and Pacific. I was very disappointed and surprised in my visit to China to see how widespread religious persecution has gone. The Subcommittee on the East Asia and Pacific is going to put a spotlight on this. Senator Rubio and I have talked about it. So we expect that in Malaysia and Laos, among other countries, that we get regular updates on the progress being made and that our Embassy is promoting the universal values of religious protections particularly for minorities.

Senator Kaine.

Senator KAINE. Thank you, Mr. Chair.

And to the nominees, congratulations. I do not particularly have questions, but I wanted to come this morning just to thank you and all who are here to support you for your service to the country. I recently returned from a CODEL to the Middle East and Afghanistan that was led by Senator Cornyn and had an opportunity to meet with some of the best of the best American Foreign Service professionals in Turkey, Jordan, the UAE, and Afghanistan. And I just was struck, as I am always struck because there are so many Foreign Service professionals that live in Virginia, but I am just struck by the professionalism, the challenge, and also the incredible sacrifice of family members. And I am so glad your life partners, spouses, children, nieces and nephews, and friends are here today. It is a huge sacrifice. I think we often think more about the sacrifice made by those in military service for a reason, and yet the careers you have had, while they have had some wonderful opportunities, I am sure that moving to so many places is not easy on families. I have been in public life for 20 years, and I have lived at two locations, one public housing, the Governor's mansion. But they were 3 miles apart from one another. That is the only move I have had to do in 20 years in public life. And yet, the kinds of things you had to do in the Foreign Service as families is significant.

Now, Mr. Berry, this will be your maiden venture in the Foreign Service but not into Government service. You sacrificed along the way. And I want to add to what Congressman Hoyer said. The Federal workforce has not had a better champion than you, and the Federal workforce, whether it is the State Department, USAID, or EPA, or any other agency, needs some champions. And you have been a great champion. Senator Cardin has been a great champion.

We have got a lot of Federal employees that live in Maryland and Virginia, and I think it has become common to try to knock the Federal workforce around and use them as a punching bag or a scapegoat. But I am just impressed again and again by the dedication of folks, not that we do not have problems, not that we do not have agencies that do things wrong. We are a Government by, of, and for the people, and people are imperfect. So that means Government is imperfect. But again and again, we have got wonderful people just like you who are doing jobs known in public or unknown and unrecognized all over this country. And I just want to thank you all for being such good examples, being such good examples of what our Federal employees can do. And I have no doubt that in each of your different responsibilities, you will represent us well.

The other thing I just wanted to mention to Mr. Berry is apropos of your comments on this CODEL in the Middle East and Afghanistan. We finished with a stop at Landstuhl Regional Medical Center in Germany where the wounded warriors from Afghanistan go as soon as they are able to be medevaced out of Afghanistan. And I met a very chipper, under 30-year-old Australian who was recovering at the hospital with his wife. And when I inquired about him, in a very comical way he just said, you know, I just should not have accepted that fifth deployment, putting a smile and a joke on a very serious reality. But the points you made about Australians being with us anytime we needed to act and protect not only our own interests, but important global interests, Australians have been right there with us. That is an important thing that was made very plain to me recently.

So thanks to all of you and my congratulations.

Senator CARDIN. I mentioned in my opening statement the challenges we have on environment. So I am not going to ask specific questions although in Laos, the Lower Mekong Initiative is an incredible opportunity to make advancements on the economic front. We have the TPP and two of the countries here are very much involved in that.

I do want to ask one question, Mr. Yun, in regards to the military aspects. The President has indicated that he is looking for closer defense cooperation with countries in the Asia-Pacific region such as Malaysia. How do you see that developing and what role can you play to advance our mutual defense interests?

Mr. YUN. Thank you, Mr. Chairman.

We do have actually very strong military and security ties with Malaysians at the moment. We have had a number of ship visits, mostly those from our Pacific Command, and we do some joint exercise together, search and rescue mission exercise together.

Mr. Chairman, as we look at rebalance to Asia or pivot to Asia, the military element is a big part of that, you know, diplomatic, of course, economic, of course, so is the military if we are to protect freedom of navigation, maritime boundaries, and especially our lawful exploitation of resources there. We also need military presence, and in that sense, I do believe Malaysia will be a good partner, as is their neighbor just south there, Singapore, and is the Philippines, for example. So we will increasingly rely, work together, as we have done for the past several decades. Despite ups

and downs in the diplomatic relationship, I am happy to say the military-to-military relationship has been quite steady.

Senator CARDIN. Well, thank you.

Mr. Clune, you mentioned in your opening statement—I mentioned in my statement—the legacies from the Vietnam war. We strongly support your statement about accountability of those missing in action and that we get full accounts of all of our service men. Both you and I mentioned the concerns on the unexploded ordnances that are still there.

I just want you to know that in this committee you have an ally. As you look and assess the circumstances, please keep us informed as to the way that the United States can strengthen its partnership to accomplish both of those objectives on the legacy from the Vietnam war. Sometimes the politics of appropriations, et cetera, can become challenging. So please feel comfortable to keep us informed as to how progress is being made on both of those fronts and the tools that you need in order to achieve we hope a more rapid resolution of these issues.

Mr. CLUNE. Thank you, Senator. I really appreciate that offer of assistance and I promise I will take you up on that and get back to after I have got a better understanding of these issues, if I am confirmed and go to Laos.

Senator CARDIN. Thank you.

Senator Rubio.

Senator RUBIO. Thank you.

And before I pivot to Australia, I wanted to close the loop again on Laos and Malaysia. Here is one more example, another article about a young woman who has had a 3.8 GPA and her foundation here at the University of—her application to pursue a medical course was rejected. According to her father, his daughter's application was rejected because her name sounded foreign and Christian. So just one more example again of a news report of that sort of oppression.

I raise these points because I think sometimes in the past being on the right side and issuing a communique or statement is not enough. In many of these countries where religious minorities are being persecuted, the U.S. mission is perhaps the only entity on the ground that could be their voice and speak for them. And so my hope, moving forward, is that—and I have full confidence that you will do that based on your testimony today—that both in Laos and Malaysia, as the situation there continues to unfold, not only will we be communicating with government leaders about the importance of religious liberties and the respect for religious minorities, how important that is to our bilateral relationships, but also to be a forceful voice condemning instances in which that is violated and condemning instances in which that is being ignored and, in particular, these atrocities and terrible cases like the ones we outlined a little earlier and are existing in other parts of the world. So my hope is that, in fact, that our missions will not just be on the right side but will be forcefully speaking out on the right side of these issues.

Now, to a relationship that has probably been a little bit easier to manage in that regard is Australia. I do have a couple questions.

One, Mr. Berry, can you describe for us briefly how your experience as a Federal administrator you believe has prepared you now to assume a diplomatic post and in particular furthering the bilateral relationships we have with Australia?

Mr. BERRY. Thank you, Senator. Let me also personally thank you for your leadership and your forceful voice for religious liberty. As a grateful American, thank you.

I have been honored to serve in many capacities in the Government, and one thing I can tell you is that, as Senator Kaine mentioned, the men and women of the State Department are amongst the best and brightest I have encountered. I think when one is proposed to be considered for one of these important posts, it is important that one be a good leader. And the first test of leadership is appreciating the talents of your team, and I know I am going to have a very strong team to rely upon, if I am confirmed into this position.

But also in previous appointments, I have had the privilege to be involved in international activities, especially focused around conservation. When I headed the National Fish and Wildlife Foundation, I got to be involved in tiger conservation throughout Asia and as director of the National Zoo was directly involved with the Chinese in conserving giant panda habitat in China. We had a significant success story there to tell.

And then finally, when I was Assistant Secretary at the Department of the Interior, one of the responsibilities at the time—there was not an Assistant Secretary for the Pacific territories and the trust territories of the United States. That was part of my portfolio in that responsibility.

And so I have been involved in the Pacific throughout my career and in Asia in many of these topics. And if I am confirmed, it would be my high honor to work my heart out to continue.

Senator RUBIO. Thank you. And just as an irony, from time to time, folks back home describe the capital as the National Zoo. [Laughter.]

So I think you are at home here. [Laughter.]

I do have a question, and you may have addressed it in your opening statement. I apologize for being a few minutes late. What information do you have for us on the progress on the Trans-Pacific Partnership negotiations? I know that the administration had hoped to finalize the agreement by October 2013. What is the status of that? What can you tell us today about whether we are going to meet that deadline or that date that we had hoped to?

Mr. BERRY. Senator Rubio, I know the President has placed high importance on successful conclusion of this treaty this year, and I know in briefings at the U.S. Trade Representative that they are pulling out all stops. Australia is actually working closely with us to help us secure the passage of this treaty. As you know, we already enjoy a free trade agreement with Australia, but if we can expand the boundaries of free trade throughout the Asia-Pacific region, it opens up 40 percent of the world's gross domestic product for U.S. trade and exports, which will be a huge opportunity both for us and for Australia.

So I can promise you, if confirmed, it will be one of my highest priorities to work with the committee, with the Trade Representa-

tive, and the President to see if we can meet the deadline of securing the passage of that treaty and presenting that to the Senate this year.

Senator RUBIO. And my final question is—I view Australia—you probably do as well. I am sure the chairman does—as a critical component of the U.S.'s enduring presence in the Pacific region as a Pacific power. I would not call it a concern, but an observation that I have is that China continues to be Australia's biggest trade partner mainly due to its strong demand for Australia's minerals and energy resources. And just recently there was a report of a shale oil deposit above 223 billion barrels that an energy company in Australia discovered. This essentially puts Australia ahead of places like Iraq, Iran, Venezuela, Canada in terms of energy reserves.

So with this new availability of energy in Australia and that existing mineral relationship between China and Australia, how will that impact that relationship moving forward? And in particular, I am curious with regards to how that impacts our ongoing defense posture with the Australians that have been welcoming. I think there is a Marine presence now in Australia with joint exercises. The Chinese, obviously, sometimes view that both publicly and privately as an effort to contain them.

And so, in essence, can you foresee a situation where this increased reliance on exports to China, combined with this increased energy supply that is now available to them, could potentially strengthen those economic bonds, which may or may not be a bad thing, but could undermine our efforts to work in a military cooperation with the Australians? How do we balance that? Are we concerned about balancing that? What are your thoughts?

Mr. BERRY. Senator, thank you. First and foremost, there is nothing more important than our strategic alliance with Australia, and that will be and remain one of my highest priorities if I am confirmed into this position.

The Australians have worked closely with us, with the Marines in Darwin, and not only with the rotation of those Marines that are there, but right now there is an operation going on that involves tens of thousands of both Australian and U.S. forces called Talisman Saber that is looking at crisis response throughout the Asia-Pacific.

And our partnership with Australia is critical in terms of the breadth of that response. We together share the concern of maintaining open and free commerce and free trade on the seas. We both share a concern for proliferation in the region and work together tirelessly to combat that. We both need to be ready to respond to human and natural disasters, and we need to look at conflict in the region, for example, in North Korea. And Australia is a great partner with us there.

Turning to the trade portion of your question, sir, the United States is a major—we are the largest investment partner for Australia, and our investment in Australia exceeds that of our investment in China from the United States. Our economic relationship has increased 98 percent since we began our free trade agreement, last year topping \$65 billion. Much of that energy development that you are talking about is joint with U.S. companies. Chevron is very

involved, along with other United States oil and gas companies. And I suspect with this new discovery that you referenced this week, the United States will be very competitive in terms of helping Australia develop those resources for the world.

Finally in closing, I would say the Australian LNG gas development that has been historic in terms of the speed with which they have been able to bring on line is one of the ways that, as you know, the United States—we have helped to reduce our carbon footprint in the world with our own LNG gas development. Australia contributing to that is going to help us and help the world in terms of those overall carbon targets in reducing the impact of that carbon footprint.

Obviously, China is going to remain an active trading partner with Australia. That is one of the opportunities that we can use to help China continue its forward momentum but do so in a peaceful basis.

So, Senator, thank you, and if I am confirmed, I promise you I will stay in close touch with you and members of the committee on these issues as we move forward.

Senator CARDIN. Well, let me thank all three of our nominees for their presence here and again their willingness to serve.

I just want to underscore one of the security issues that you have mentioned. That is maritime security. We talked about that before the hearing started. The maritime security issues are of a great concern to us because the maintaining of free shipping lanes is critically important, the resources that are in that region under water which are currently being looked at for development and the territorial integrity. The United States has a very strong position that these issues must be resolved peacefully with direct negotiations among the parties. And we will expect again that you will keep us informed as to issues that may be developing in regards to maritime security matters.

If there is no further questioning, we will bring the hearing to a conclusion and thank you all again for your cooperation.

[Whereupon, at 10:08 a.m., the hearing was adjourned.]

ADDITIONAL MATERIAL AND QUESTIONS AND ANSWERS SUBMITTED
FOR THE RECORDNAMES OF 40 AUSTRALIAN SERVICEMEN WHO DIED IN AFGHANISTAN AS PART OF
COALITION ACTIVITIES SUBMITTED BY JOHN BERRY**Australian Defense Force personnel deployed to Afghanistan
killed in action**

There have been 40 operational deaths in Afghanistan:

1. [Sergeant Andrew Russell](#), SASR, died of wounds sustained when his patrol vehicle struck an anti-tank mine on 16 February 2002.
2. [Trooper David Pearce](#), 2/14 LHR QMI, was killed when his ASLAV was struck by an Improvised Explosive Device on 8 October 2007.
3. [Sergeant Matthew Locke MG](#), SASR, was killed by Taliban insurgent small-arms fire on 25 October 2007.
4. [Private Luke Worsley](#), 4RAR (Cdo), was killed by Taliban insurgent small-arms fire on 23 November 2007.
5. [Lance Corporal Jason Marks](#), 4RAR (Cdo), was killed by Taliban insurgent small-arms fire on 27 April 2008.
6. [Signaller Sean McCarthy](#), SASR, was killed when the vehicle he was travelling in was struck by an Improvised Explosive Device on 8 July 2008.
7. [Lieutenant Michael Fussell](#), 4RAR (Cdo), was killed by an Improvised Explosive Device during a dismounted patrol on 27 November 2008.
8. [Private Gregory Sher](#), 1st Commando Regiment, was killed in a rocket attack on 4 January 2009.
9. [Corporal Mathew Hopkins](#), 7th Battalion, The Royal Australian Regiment, was killed during an engagement with the Taliban on 16 March 2009.
10. [Sergeant Brett Till](#), Incident Response Regiment, was killed by an Improvised Explosive Device during a route clearance task on the 19 March 2009.
11. [Private Benjamin Ranaudo](#), 1st Battalion, The Royal Australian Regiment was killed as a result of an Improvised Explosive Device on 18 July 2009.
12. [Sapper Jacob Moerland](#), 2nd Combat Engineer Regiment was killed as a result of an Improvised Explosive Device strike on 7 June 2010.
13. [Sapper Darren Smith](#), 2nd Combat Engineer Regiment died of wounds sustained during an Improvised Explosive Device strike on 7 June 2010.
14. [Private Timothy Aplin](#), 2nd Commando Regiment died as a result of a helicopter crash on 21 June 2010.
15. [Private Scott Palmer](#), 2nd Commando Regiment died as a result of a helicopter crash on 21 June 2010.
16. [Private Benjamin Chuck](#), 2nd Commando Regiment died of wounds sustained in a helicopter crash on 21 June 2010.
17. [Private Nathan Bewes](#), 6th Battalion, The Royal Australian Regiment was killed as a result of an Improvised Explosive Device on 9 July 2010.
18. [Trooper Jason Brown](#), SASR, died as a result of gunshot wounds sustained in an engagement with insurgents on 13 August 2010.

19. [Private Tomas Dale](#), 6th Battalion, The Royal Australian Regiment was killed as a result of an Improvised Explosive Device strike on 20 August 2010.
20. [Private Grant Kirby](#), 6th Battalion, The Royal Australian Regiment was killed as a result of an Improvised Explosive Device strike on 20 August 2010.
21. [Lance Corporal Jared MacKinney](#), 6th Battalion, The Royal Australian Regiment, was killed during an engagement with insurgents on 24 August 2010.
22. [Corporal Richard Atkinson](#), 1st Combat Engineer Regiment, was killed as a result of an Improvised Explosive Device strike on 2 February 2011.
23. [Sapper Jamie Larcombe](#), 1st Combat Engineer Regiment, was killed during an engagement with insurgents on 19 February 2011.
24. [Sergeant Brett Wood MG DSM](#), 2nd Commando Regiment, was killed by an Improvised Explosive Device during a dismounted patrol on 23 May 2011.
25. [Lance Corporal Andrew Jones](#), 9th Force Support Battalion, died of wounds as a result of a small-arms fire incident on 30 May 2011.
26. [Lieutenant Marcus Case](#), 6th Aviation Regiment, died of wounds sustained in a helicopter crash on 30 May 2011.
27. [Sapper Rowan Robinson](#), Incident Response Regiment, died as a result of gunshot wounds sustained in an engagement with insurgents on 06 June 2011.
28. [Sergeant Todd Langley](#), 2nd Commando Regiment, was killed during an engagement with insurgents on 4 July 2011
29. [Private Matthew Lambert](#), 2nd Battalion, The Royal Australian Regiment, died of wounds as a result of an Improvised Explosive Device strike on 22 August 2011.
30. [Captain Bryce Duffy](#), 4th Regiment, Royal Australian Artillery, was killed as a result of a small-arms incident on 29 October 2011.
31. [Corporal Ashley Birt](#), 6th Engineer Support Regiment, was killed as a result of a small-arms incident on 29 October 2011.
32. [Lance Corporal Luke Gavin](#), 2nd Battalion, The Royal Australian Regiment died of wounds as a result of a small-arms incident on 29 October 2011.
33. [Sergeant Blaine Flower Diddams MG](#), from the Special Air Service Regiment was killed during a small arms engagement with insurgents on 02 July 2012.
34. [Sapper James Martin](#), 2nd Combat Engineer Regiment was killed as a result of a small-arms incident on 29 August 2012.
35. [Lance Corporal Stjepan Milosevic](#), 2nd/14th Light Horse Regiment (QMI), was killed as a result of a small-arms incident on 29 August 2012.
36. [Private Robert Poate](#), 6th Battalion, the Royal Australian Regiment was killed as a result of a small-arms incident on 29 August 2012.

37. [Private Nathanael Galagher](#), 2nd Commando Regiment was killed in a helicopter crash on 30 August 2012.
38. [Lance Corporal Mervyn McDonald](#), 2nd Commando Regiment was killed in a helicopter crash on 30 August 2012.
39. [Corporal Scott Smith MG](#), Special Operations Engineer Regiment, was killed as a result of an Improvised Explosive Device on 21 October 2012.
40. [Corporal Cameron Stewart Baird MG](#), 2nd Commando Regiment, was killed by small arms fire during an engagement with insurgents on 22 June 2013.

PREPARED STATEMENT OF SENATOR BARBARA A. MIKULSKI IN SUPPORT OF THE
NOMINATION OF JOHN BERRY AS U.S. AMBASSADOR TO AUSTRALIA

Mr. President, I want to take this opportunity to congratulate Mr. John Berry on his nomination to be the next U.S. Ambassador to Australia. Hailing from Maryland and a proud alumnus of the University of Maryland, I am pleased that John has been nominated for this new and important challenge.

John began his career in public service as an intern with the Montgomery County, MD, government and later served as a legislative aide in the Maryland General Assembly. We were lucky to have him as a member of "Team Maryland" here on Capitol Hill when he joined the staff of Congressman Steny Hoyer as Legislative Director.

In 2009, we came together to confirm John as Director of the Office of Personnel Management. At OPM, he worked to reform and streamline federal hiring practices, boost veteran hiring in the Federal Government, and eliminate security clearance backlogs. I am confident we can come together to support his nomination once more.

John's career has included leadership roles at the Department of Interior, where he served as both CFO and COO. During this time, John demonstrated his commitment to serving those that he worked with. He focused on improving educational opportunities and employees' work-life balance in addition to holding townhall meetings with employees to improve working conditions. While serving at the Department of the Treasury, he oversaw essential security personnel that keep our Nation safe.

John has also been honored to serve in his dream job as Director of the National Zoo. I was impressed to find out that he even has a lion cub there named in his honor!

Australia has long been a close friend and ally of the United States. The genuine affinity and affection between our people is enhanced by our strategic interests. While I am sorry to see Ambassador Jeffrey Bleich leave his post after four productive years, I am pleased to know that John will take on the role with the same devotion. I know that he will excel in this new role. I call on my colleagues to join me in supporting his nomination as U.S. Ambassador to Australia.

RESPONSES OF JOSEPH YUN TO QUESTIONS SUBMITTED BY SENATOR BOB CORKER

Question. What role does Malaysia play in the administration's rebalancing strategy? Specifically, are there areas in which the United States and Malaysia could potentially enhance security cooperation?

Answer. Malaysia has welcomed the renewed U.S. focus on the Asia-Pacific and is an important partner for the United States. Over the last few years, there has been a significant increase in political dialogue, including bilateral meetings between the two leaders, Cabinet-level visits, and engagement by Members of Congress with senior Malaysian officials, all of which play an important part in raising the level of our bilateral relationship. The United States has a longstanding military relationship with Malaysia, but our political, economic, and people-to-people ties are growing as well. Malaysia is also a founding member of ASEAN. It will have the ASEAN chair in 2015.

The United States has a strong military partnership with Malaysia. In October we had our first aircraft carrier visit to East Malaysia in Kota Kinabalu, and we recently completed a Cooperation Afloat Readiness and Training (CARAT) exercise. Malaysia has participated in CARAT since 1996. Malaysia also benefits from our international military education and training (IMET) programs, which have been

hugely successful and well received. The U.S. Army has also reinvigorated partnerships with the Malaysian Army, with joint training and exercises. Defense procurement is another area where we are working to expand cooperation. The Embassy is prioritizing the U.S. exports and jobs created by these important sales, which I would focus on if confirmed. I will work closely with the Government of Malaysia to continue to foster confidence and trust between our Armed Forces.

Question. Malaysia is a significant U.S. trading partner and site of U.S. investment. How will the United States and Malaysia specifically benefit from the successful conclusion of TPP negotiations?

Answer. The United States is Malaysia's fourth-largest trading partner, a change from when the United States was the top partner 10 years ago. U.S. goods exports to Malaysia fell to \$12.8 billion in 2012, from \$14.2 billion in 2011. U.S. goods imports from Malaysia increased slightly to \$25.9 billion in 2012 from \$25.7 billion in 2011. The Trans-Pacific Partnership (TPP) will provide significantly expanded market access for goods and services between the United States and Malaysia. With its high-standard rules and disciplines, the TPP will reduce barriers and help promote increased trade and investment between our two countries and with their other 10 TPP partners. The current negotiating round in Kota Kinabalu, Malaysia, is progressing well, and we expect to be closer to completion of the TPP once the round is finished on July 25. The United States has not previously concluded a free trade agreement with Malaysia.

If confirmed, I will work closely with Malaysian officials to promote the successful completion of TPP as well as to ensure its full implementation.

RESPONSES OF JOHN BERRY TO QUESTIONS SUBMITTED BY SENATOR BOB CORKER

Question. The United States and Australia enjoy a close alliance partnership. And as part of the administration's rebalancing strategy the United States has sought to strengthen the alliance, particularly our robust security cooperation. What areas of security cooperation are ripe for further engagement between Washington and Canberra?

Answer. Over the past six decades, the U.S.-Australia treaty alliance has served as an anchor of stability, security, and prosperity in the world. Australia has stood beside us in every major international conflict in the last century. Our bilateral defense cooperation reached new heights with the force posture initiatives announced by President Obama and then-Prime Minister Gillard in 2011, and the recent entry into force of our Defense Trade Cooperation Treaty with Australia, which will help enhance the interoperability of our Armed Forces. In January, the United States warmly welcomed Australia to its 2-year term on the U.N. Security Council, where it has focused heavily on counterterrorism and nonproliferation. Its presence on the UNSC has provided even greater opportunities for coordination on Iran, Syria, the DPRK, and other critical issues.

If confirmed, I will work diligently to further deepen our bilateral security relationship to ensure we are prepared to meet the challenges of tomorrow. Our governments both recognize the value of close collaboration with allies and like-minded nations on cyber issues, and are working together closely to address mutual threats emerging in and from cyberspace. Space is also vital to protecting the economic prosperity and national security interests of the United States, its allies, and partners, and we should expand our partnership with Australia on space situational awareness and jointly pursue transparency and confidence building measures to strengthen stability in space.

As one of the largest non-NATO troop contributors to ISAF and a major contributor of development and security assistance, Australia has been a steadfast partner in Afghanistan. If confirmed, I will work to ensure continued coordination with Australia in support of the Afghan people, so that Afghanistan will never again become a safe haven for terrorists.

Most importantly, if confirmed I will work with colleagues from the U.S. Department of Defense and our Australian partners to fully implement our force posture initiatives. The rotational presence of U.S. Marines in Darwin affords an unprecedented combined training opportunity with our Australian allies in world-class training areas. The proximity of Australia's Northern Territory to Southeast Asia and South Asia will enable our Marines to more effectively exercise and operate with Australia and other partners across the region and to respond more rapidly to a range of contingencies, deliver humanitarian assistance, and provide disaster relief. With our second rotation of 250 Marines to Darwin currently underway, our initiatives are off to a very strong start, however more work remains. If confirmed,

I will do my best to ensure full implementation of our remaining initiatives as quickly as possible.

Question. Australia plays a key role in Southeast Asia and the Pacific. If confirmed, will you commit to pursue opportunities to enhance cooperative engagement with Australia in Southeast Asia and the Pacific, particularly in the areas of democracy promotion, good governance and rule of law?

Answer. If confirmed, I will pursue opportunities to enhance cooperative engagement with Australia in Southeast Asia and the Pacific, including on democracy promotion, good governance, and the rule of law.

Standing up for human dignity abroad is directly linked to the national interests of the United States. Democracy and respect for human rights are increasingly part of the fabric of the Asia-Pacific, but many challenges remain. As part of our rebalance, the United States must continue to promote universal values, including transparency, rule of law, human rights, and good governance. We do this not only because it is the right thing to do, but also because now more than ever human rights and governance failings in countries around the world have consequences for U.S. interests—from economic and monetary policy, to climate change and national security. Across the Asia-Pacific region, the United States seeks sustained adherence to democratic practices and improved governance, as well as quality health care and education, strengthened disaster preparedness and emergency response, and increased natural resource management. These efforts will contribute to greater human security, stability, and prosperity, as well as stronger U.S. ties to the region.

Given our history of shared values, Australia is one of our closest global partners in promoting democratic reform, good governance, and the rule of law. The United States and Australia are working together to encourage Fiji to honor its commitment to make serious, sustained, inclusive, and transparent preparations for national elections by 2014 and we have reiterated our call for Fiji to protect human rights, including freedoms of expression, association, and religion. Our international aid agencies cooperate to combat disease in Southeast Asia and to promote the empowerment of women in the Pacific Islands. The United States and Australia both participate in the Voluntary Principles on Security and Human Rights Initiative and the International Code of Conduct for Private Security Service Providers, multistakeholder initiatives that guide extractive companies and private security companies on providing security in a manner that respects human rights. The United States and Australia jointly provide technical assistance to support ASEAN economic integration and APEC trade and structural reform. These are but a few examples of the efforts Australia and the United States have already undertaken cooperatively.

As exceptional as our collaboration with Australia has been to date, I believe there is even more that we can accomplish together. If confirmed, I pledge to continue supporting the strong bilateral work we are already doing, while seeking out new and different opportunities for us to collaboratively promote our shared core values in Southeast Asia and the Pacific.

RESPONSES OF DANIEL CLUNE TO QUESTIONS SUBMITTED BY SENATOR BOB CORKER

Question. The recent repatriation of several young North Korean orphans from Laos to North Korea has cast a harsh spotlight on the plight of North Korean refugees. If confirmed, what steps will you undertake to encourage the Laotian Government to refrain from forcibly repatriating North Korean refugees? If confirmed, will you commit to working with the Special Envoy for North Korea Human Rights and other State Department officials to develop a coherent strategy to ensure the USG will proactively implement the North Korean Child Welfare Act of 2012? What initial elements would you propose for such a strategy?

Answer. If confirmed, I will continue to work closely with the Republic of Korea (ROK), the United Nations, and other countries that share our concerns about North Korean refugees and asylum seekers to encourage the Government of Laos to fulfill its international obligations and not return refugees and asylum seekers to North Korea. The human rights situation in North Korea is deplorable and returnees and their families routinely face harsh punishments. For this reason, the United States has consistently called on all countries in the region to protect North Koreans. I have met with Special Envoy for North Korean Human Rights Issues, Robert R. King, to discuss the North Korean refugees issues, and I will work closely with him and other State Department officials, including the Bureau of Population, Refugees, and Migration and the Bureau of Democracy, Human Rights, and Labor, to ensure the development of an effective strategy to meet the goals of the North Korean Child

Welfare Act of 2012. I will urge the Government of Laos to cooperate in the protection of North Korean refugees and asylum seekers and will work with the Special Envoy for North Korean Human Rights Issues to do everything that can be done to ensure the safety and welfare of refugees and asylum seekers from North Korea and give them opportunities for a better future.

Question. As one of the largest investors in Laos, China maintains significant leverage over Vientiane's diplomatic and political decisions. As Vientiane grows increasingly dependent upon Beijing, it has become gradually more challenging for the United States to balance its relatively small foreign assistance while simultaneously articulating U.S. values and support for basic human rights, including religious minorities. If confirmed, what steps will you propose the United States undertake to more effectively leverage our assistance to encourage Laos to pursue genuine reforms and adhere to international human rights obligations?

Answer. If confirmed, I will look for ways to leverage most effectively existing programs to encourage Laos to pursue genuine reforms, strengthen its judicial system, and adhere to its international human rights obligations. The State Department's Bureau of International Narcotics and Law Enforcement Affairs is providing \$300,000 annually for legal education, prosecutor training, and police prosecutor cooperation in support of the Lao Government's "Master Plan on the Development of the Rule of Law in the Lao PDR toward the Year 2020." The State Department's Bureau of Democracy, Human Rights, and Labor funds a \$500,000 program to increase the capacity of civil society organizations, a program which was recently extended, and has included Laos in regional programs addressing disability rights and religious freedom. In addition, the USAID LUNA-Lao project provides technical assistance to ministries, the National Assembly, and the judiciary to modernize laws and policies, judicial procedures, and institutional capacities in keeping with international best practice. In supporting the implementation of far-reaching trade agreements, the project not only helps stimulate economic growth but also advances the rule of law and improves governance. If confirmed, I will analyze each of these programs and seek additional funding in those areas which would most effectively promote genuine reforms and adherence to human rights obligations.

NOMINATIONS OF LINDA THOMAS-GREENFIELD, JAMES ENTWISTLE, PATRICIA HASLACH, REUBEN BRIGETY II, STEPHANIE SANDERS SULLIVAN, PATRICK GASPARD

WEDNESDAY, JULY 24, 2013

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

Hon. Linda Thomas-Greenfield, of Louisiana, to be Assistant Secretary of State for African Affairs
Hon. James F. Entwistle, of Virginia, to be Ambassador to the Federal Republic of Nigeria
Hon. Patricia Marie Haslach, of Oregon, to be Ambassador to the Federal Democratic Republic of Ethiopia
Reuben Earl Brigety II, of Florida, to be Representative of the United States of America to the African Union, with the rank and status of Ambassador
Stephanie Sanders Sullivan, of New York, to be Ambassador to the Republic of Congo
Patrick Hubert Gaspard, of New York, to be Ambassador to the Republic of South Africa

The committee met, pursuant to notice, at 9:08 a.m., in room SD-419, Dirksen Senate Office Building, Hon. Christopher A. Coons presiding.

Present: Senators Coons, Kaine, Murphy, and Flake.

**OPENING STATEMENT OF HON. CHRISTOPHER A. COONS,
U.S. SENATOR FROM DELAWARE**

Senator COONS. Good morning. I call this hearing of the African Affairs Subcommittee of the Senate Foreign Relations Committee to order. I am very pleased to chair this nomination hearing of the Senate Foreign Relations' Committee Subcommittee on African Affairs for Linda Thomas-Greenfield to be Assistant Secretary of State for African Affairs; James Entwistle to be Ambassador to Nigeria; Patricia Haslach to be Ambassador to Ethiopia; Reuben Brigety to be the U.S. Representative to the African Union with the rank of Ambassador; Stephanie Sanders Sullivan to be Ambassador to the Republic of Congo; and Patrick Gaspard to be Ambassador to South Africa.

I welcome each of the nominees and their family members who are here to support them. I also welcome and thank my Africa Subcommittee ranking member and colleague, Senator Flake, for his diligence in working and making possible this full agenda of nominees for today.

We are considering nominees today for different diplomatic assignments, each with its own unique characteristics, challenges, and opportunities. Each nominee will also work through many common cross-cutting challenges and opportunities that face the United States in Africa, including vast economic potential, a rapidly growing middle class, challenged democratic institutions, poverty, terrorism, and many more.

The choices made by African leaders, our government, and international partners will chart not only the future course of many African countries, but the role and influence of the United States. At a time when we have impending elections in Mali and Zimbabwe and an upcoming AGOA ministerial, there is so much for us to talk about this morning.

I will dispense with much of my usual opening statement and simply say I am convinced we must deepen, broaden, and sustain United States engagement with the leaders and people of Africa. President Obama's recent trip was a positive demonstration of U.S. commitment and the President's initiatives on trade, energy, young African leaders, and wildlife trafficking have, I think, significant potential that I hope we will soon explore further. But our relationships have to extend broadly, beyond a single Presidential trip, and as the United States works to sustain and broaden our relationships each of you will play a central role in sustaining that.

The nominees before us bring a wealth of foreign policy and public service experience and have served in some of the most challenging diplomatic posts around the world. I am interested in hearing your views on how we can help build strong, enduring partnerships in Africa in support of democracy, security, and prosperity.

Linda Thomas-Greenfield has served as Principal Deputy Assistant Secretary in the Bureau of African Affairs and as Ambassador to Liberia, where I first met her, during an exciting time of transition. Importantly, she has also shown a strong commitment to supporting the professional development of the people of the State Department, its most valuable asset.

Ambassador James Entwistle, who I had the pleasure of meeting when I traveled to Kinshasa earlier this year, is an able and experienced senior diplomatic who would bring lessons learned from places as diverse as Thailand, Kenya, and the Congo to the critically important and challenging task of managing our relations with Nigeria.

Patricia Haslach has worked to promote development, stability, and democracy around the world, including in Iraq, Afghanistan, and Nigeria. Her experience with the Feed the Future program and commitment to women's empowerment would make important contributions to our diplomacy in Ethiopia.

Reuben Brigety has devoted his career to public service. His unique blend of experience in the military, academia, civil society, USAID, and the State Department would in my view be a valuable asset at our mission to the AU.

Stephanie Sullivan has shown a long commitment to Africa from her time as a Peace Corps Volunteer in the DRC to several Foreign Service assignments in the Africa Bureau. She would bring strong managerial skills and relevant experience to Brazzaville.

Patrick Gaspard knows the rough and tumble world of labor relations, community organizing, school reform, and of course politics. These are all critical to understanding South Africa, where he also, I would note, had the honor of meeting Nelson Mandela in 1992 while serving in New York Mayor David Dinkins' office.

I will dispense with the rest of my comments. I very much look forward to hearing from each of the nominees and will now turn to Senator Flake.

Senator FLAKE. I thank the chairman for making this hearing possible, to get through a number of nominees all at once. I enjoyed meeting with each of you in my office in the past weeks. I am convinced that we have the right people for what will be a tough job. As Senator Coons said, and I agree, we ought to broaden and deepen our involvement in Africa. I think we have the right people to do that and look forward to hearing your testimony today.

Thanks.

Senator COONS. I would like to now turn to Senator Nelson to introduce Ambassador Thomas-Greenfield. I will also, when he arrives, be inviting Senator Schumer to say a few words about our nominee for South Africa. Given the demands of Senator Schumer's schedule, he is not able to be here for the second panel. So I would like to invite Senator Nelson, and thank him for his timely arrival, for an introduction of Linda Thomas-Greenfield, who is the nominee for Assistant Secretary.

Senator Nelson.

**STATEMENT OF HON. BILL NELSON,
U.S. SENATOR FROM FLORIDA**

Senator NELSON. Thank you, Mr. Chairman. It is a privilege for me to return to the committee that I spent six very happy years here and appreciate the dedication that you and Senator Flake are bringing to the Africa Subcommittee of this full committee. It is obvious the devotion that you have, Mr. Chairman, and I want you to know that I appreciate that.

We have a unique, very competent and very qualified candidate, nominee, to be the Assistant Secretary of State for African Affairs, because Ambassador Greenfield has been in the Foreign Service for her adult life. Right now she leads a team of 600 folks who work day and night over in the State Department. She started her career in the Foreign Service back in 1962, and most of that service has been dedicated to policymaking with regard to Africa.

She has served in Jamaica, Nigeria, the Gambia, Kenya, Pakistan, Switzerland, and most recently as U.S. Ambassador to Liberia. It was there that my wife Grace and I got to meet Ambassador Thomas-Greenfield, and it was very interesting. In that country there was a woman President, still is, Ellen Johnson Sirleaf. The U.S. Ambassador was a woman, and that is Linda, and the top USAID representative, a woman, Pam White, who so distinguished herself in USAID that she was asked to be an Ambassador, first

in the Gambia and today—and I will see her in another week and a half—in Haiti.

So you can imagine the kind of quality representation that we had there in this struggling little country that is trying to come out of the chaos that it had in a very tumultuous former regime as the new President, President Sirleaf, is trying to straighten out the country.

Well, we were fortunate to have the quality that we had with Linda. As a result, she has moved up in the State Department and now is awaiting confirmation for this very important post. The post is to strengthen the democracy and the institutions throughout the continent. It fosters economic growth in the continent and it tries to lessen the effects of the armed conflicts in the continent.

So what more can I say, Mr. Chairman, but that I am very privileged to be here to introduce a nominee of such quality, that when quality is staring you in the face you act on it. I want to thank you for this committee's consideration and I look forward to casting my vote on the floor of the Senate when we confirm her.

Thank you, Mr. Chairman.

Senator COONS. Thank you very much, Senator Nelson. I am grateful for your time and, being mindful of your schedule, invite you to leave whenever is convenient for you.

Before I turn to an opening statement by Ambassador Thomas-Greenfield, I am going to encourage Senator Schumer of New York to make an introductory statement of Patrick Gaspard, whom we will consider as part of our second panel, the President's nominee to serve as Ambassador to South Africa.

Senator Schumer.

**STATEMENT OF HON. CHARLES SCHUMER,
U.S. SENATOR FROM NEW YORK**

Senator SCHUMER. Well, thank you, Mr. Chairman.

First to Ambassador Thomas-Greenfield and to my colleague Bill Nelson, I apologize for the interruption. Thank you for your patience. I will be chairing another committee hearing in a few minutes, but wanted the opportunity to introduce Patrick Gaspard, who will be appearing a little later this morning.

Before doing that, I would like to acknowledge Ambassador Thomas-Greenfield's distinguished diplomatic career serving the United States around the globe. She is an excellent candidate for the position of Assistant Secretary for Africa and I join my colleague and friend Bill Nelson in looking forward to supporting her nomination when it comes before the full Senate, the two of us are not privileged to serve on this committee, where we would cast two votes for you. One in the committee, one on the floor is what I mean.

Anyway, it is my great privilege to introduce Mr. Patrick Gaspard, the nominee to be the next Ambassador to South Africa. Patrick was not born in New York, but, like millions of others through the years, found his way to New York and found in New York his hopes, his dreams, and a place to call home.

Mr. Gaspard's long and distinguished career in public service leaves no doubt he is well qualified to take on this great task that awaits him if he is confirmed to be Ambassador to South Africa.

Patrick was born in the Democratic Republic of the Congo to Haitian parents. Returning to the African Continent will bring Patrick full circle.

His parents—he has an amazing life story. Patrick's parents moved from what was then Zaire from their native Haiti following an appeal from Prime Minister Patrice Lumumba for French-speaking academics of African descent. Patrick then moved with his parents to New York when he was just 3. He grew up on New York City's Upper West Side. He lived there until he was 11, like many Manhattanites migrated to the great, often forgotten outer boroughs. He moved in a fine, beautiful middle class neighborhood that I ride my bicycle through frequently, Saint Alban's in south-east Queens.

He then got into one of New York City's finest public schools, Brooklyn Tech—Go Engineers—before—it was a lot better than Stuyvesant's nickname. They are “The Peg Legs.” Can you believe a team calls itself “The Peg Legs”? Only in New York—before going on to attend another great New York institution, Columbia University.

Patrick worked his way up in New York City politics. He played a key role in helping David Dinkins become New York City's first African American Mayor in what was to become a historic campaign. And, interestingly and relevantly enough, one of his signature achievements working for Mayor Dinkins was spearheading a trip to South Africa for the Mayor's Cabinet members to meet Nelson Mandela in 1992, who 2 years later would go on to become South Africa's first democratically elected President.

He then went on to work for almost a decade as Executive Vice President for Politics and Legislation for 1199, the SEIU United Health Care Workers East labor union. That is the largest local union in America. It is one of the strongest, one of the best organized, one of the most effective. And I say this—I think this is not without exaggeration—it was Patrick and his team that were one of the most effective at building any union organization that I have been familiar with, and they now have over 300,000 members.

In 2004 he became National Field Director for America Coming Together. He overseen a paid staff of 8,000 people dedicated to getting out the vote. He has shown a remarkable dedication and involvement in our country's electoral process, and his efforts to advance the cause of working class families led him to serve in 2006 as the Political Director for SEIU during the national union's very successful efforts that year.

Then-Senator Barack Obama recognized Patrick's talents, tried to lure him away from SEIU to join the campaign. He first resisted. He did not want to leave his family in New York. But he eventually caved and became Political Director for the President's successful 2008 campaign. He was then Director of Political Affairs, 2008, an office I would say needs some filling right now. There is no one there who could fill his shoes. His responsibilities were to provide the President with an accurate assessment of the political dynamic affecting the work of his administration.

He is one of the hardest working people I have ever met. I have worked with him for decades and he just works and works and drives and drives and gets things done. But he is a good listener.

He is a polite and thoughtful fellow, and he has had a great career already.

He became the executive director of the DNC under Chairman, now our colleague, Tim Kaine and Chairman Deborah Wasserman-Schultz.

So, as you can see by his bio, he has dedicated his entire career and political life to helping advance the values of better life and more opportunities for families in America. He will take advantage and enhance our dynamic relationship with South Africa, and he will take it to new heights.

As you all know, Mr. Chairman, Ranking Member Corker, South Africa is a strategic partner for the United States. Our countries are currently involved in widespread cooperation in health, education, food security, trade, investment, energy, and nonproliferation. There is no one better to help strengthen these bonds than Patrick Gaspard.

So I wholeheartedly endorse his nomination, and again thank you, Madam Ambassador, my colleague Bill, and the committee for their courtesy.

Senator COONS. Thank you, Senator Schumer, for that introduction. We very much look forward to our second panel of nominees. Understanding the Senators' schedules and your impending hearing, I thank you for your testimony here this morning, your introductions, and I would now like to invite Ambassador Thomas-Greenfield to make her opening statement and to introduce any family or friends who may be with you in support today.

Ambassador.

STATEMENT OF HON. LINDA THOMAS-GREENFIELD, OF LOUISIANA, NOMINATED TO BE ASSISTANT SECRETARY OF STATE FOR AFRICAN AFFAIRS

Ambassador THOMAS-GREENFIELD. Thank you very much, Chairman Coons. Let me start by thanking Senator Nelson and Senator Schumer for their very generous and kind introduction.

Chairman Coons, Ranking Member Flake, and members of the committee, it is an honor for me to appear before you today as President Obama's nominee to be the Assistant Secretary of State for African Affairs. I am honored by President Obama's and Senator Kerry's confidence in me and, if confirmed, I hope to work closely with the Congress and particularly with this committee and with you, Senator Coons, and other members to further our partnership with the African people, to nurture our shared values, and to advance U.S. interests in the region.

Mr. Chairman, I would like to take the opportunity to introduce my husband, Lafayette, who is sitting behind me, my daughter Lindsay. My son, Deuce, could not be here today, but I can tell you that I would not be here today if it were not for their support over a 31-year career in the Foreign Service, and I would like to take this opportunity to thank them for their support.

If you will permit me, I will submit a longer version of my testimony for the record, but I would like to take the opportunity here to underscore that I have spent the majority of my career in Africa, as you have heard, working on African issues, working on humani-

tarian issues in Africa, and this nomination is really an honor for me.

I come before the committee at a very propitious moment. The President just completed a highly successful trip to Senegal, South Africa, and Tanzania. During that time he announced critical new initiatives and reinforced our efforts to expand economic growth in a mutually beneficial manner, to strengthen democratic institutions, and to invest in the next generation of African leaders.

If confirmed, I am particularly looking forward to the Africa Heads of State summit in Washington in 2014, which will further advance the President's efforts on these critical sets of issues.

Our partnership with the countries and the people of Africa has contributed to real progress, made all the more evident by the strength of our relationships across the continent, from Ghana to Tanzania, from Liberia, where I served as Ambassador, to Namibia. We have been especially encouraged by peaceful transitions between political parties, as we witnessed in Senegal and Zambia recently, and we are now watching closely as the people of Mali and the people of Zimbabwe prepare to head to their polling stations in just a few days for elections that will be critical to the future of their respective countries, but particularly to their people.

In the coming years cross the continent, we will have to prioritize our support for critical democracy and governance programs that underpin the success of all other efforts. However, we will also need to continue efforts to encourage American businesses to actively participate in Africa's economic renaissance.

Lack of fiscal transparency and corruption significantly discourage investment. Trade and sustainable economic development will flow where rules are predictable and investment is protected. When the playing field is level, I am confident that American firms can compete successfully with anyone in the world, including China. But ultimately, African governments themselves should drive a hard bargain in the deals that they make with every nation to ensure that they get the best deals for their people and for their future.

To further support U.S. efforts and U.S. trade with Africa, I am looking forward to the upcoming Africa Growth and Opportunity Act trade ministerial in Ethiopia this August and, if confirmed, I hope to work closely with this committee and with you in particular, Senator Coons, and other Members of Congress to pave the way for AGOA's renewal.

As we deepen our partnerships on the continent, our efforts will also stay true to the fact that human rights is a core American value. We will continue to speak out, both in public and in private, when nations stray from their responsibilities to protect their people. We must also remember that from eastern Congo to the Sahel, from Liberia and Somalia to the tensions that are still taking place between Sudan and South Sudan, too many lives have been lost and too many futures have been destroyed.

Violent extremist organizations, some of them affiliated with al-Qaeda, seek to exploit conflicts and weak institutions to expand their reach. In each of these cases, we will continue to work with the African Union as well as other regional and international organizations, allies, and countries themselves to find solutions.

I understand that the opportunities and the challenges in Africa require a comprehensive United States policy, one that takes a holistic approach, is integrative, proactive, and forward-leaning. If confirmed, I will always balance our long-term interests with the near-term and urgent imperatives we face each week.

For far too many years, we have been Africa's partner in times of adversity. While we will continue to support African people in moments of crisis, we will also be Africa's partner in prosperity. Admittedly, this is a big challenge, but I can say if I am confirmed it is one that I very much look forward to pursuing with your help and with the Africa Bureau's enthusiasm and energy.

Before I conclude, I would like to also thank the many friends that I have sitting in the audience who are here to support me today, and if confirmed, Mr. Chairman, I look forward to working with you, members of the committee, and others on the Hill on the challenges and the opportunities that we will face on the continent of Africa in the future.

I am pleased to take your questions. Thank you very much.

[The prepared statement of Ambassador Thomas-Greenfield follows:]

PREPARED STATEMENT OF HON. LINDA THOMAS-GREENFIELD

Chairman Coons, Ranking Member Flake, and members of the committee, it is an honor to appear before you today as President Obama's nominee to be the Assistant Secretary of State for African Affairs. I am honored by President Obama's and Secretary Kerry's confidence in me and, if confirmed, I hope to work closely with the Congress and with this committee and its members, to further our partnership with the African people and organizations, nurture our shared values, and advance U.S. interests in the region.

Mr. Chairman, I would like to take the opportunity to introduce my husband, Lafayette, and our two children, Lindsay and Deuce. I would not be here today if it were not for their support and encouragement over the last 31 years.

My first introduction to Africa occurred in 1964, when I was a mere 12 year old and had the opportunity to meet Peace Corps Volunteers and their African teachers, who were living in my small community in Baker, LA, prior to departing for their assignments in Swaziland and Somalia. From that moment, I knew I wanted to be a Peace Corps Volunteer and I knew I wanted to go to Africa. Unfortunately, I never became a volunteer, something I continue to regret today, but did I get a chance to go to Africa.

I have spent the majority of my career working in Africa and on African issues, including as the Deputy Assistant Secretary of State in the Bureau of Population, Refugees, and Migration responsible for Africa, as the Deputy Assistant Secretary of State in the Africa Bureau responsible for west Africa, as the Principal Deputy Assistant Secretary of State for African Affairs, and as the U.S. Ambassador to Liberia. Most recently in my position as Director General of the Foreign Service and Director of Human Resources I led a team of 600 employees who managed the Department's 70,000-strong workforce. Ultimately, any organization is only as good as its people. In all my leadership positions, I have sought to better enable our personnel to meet our ambitious foreign policy objectives, to promote strong leadership and accountability, and foster diversity in the workplace. These will continue to be priorities for me, if confirmed. The Bureau of African Affairs is home to approximately 1,100 Foreign Service officers, 76 Civil Servants, and 12,800 locally employed staff who are spread across 50 posts, as well as here in Washington. Entry-level officers are often the backbone of our lightly staffed embassies and many of our desks within the Bureau. If confirmed as Assistant Secretary of State for African Affairs, I will continue my strong professional and personal commitment to the welfare and safety of our people, and to their development through mentorship and my attention to management issues. I am also committed to keeping our people safe and facilities secure. To that end, I will work closely with the Bureau of Diplomatic Security to achieve that goal.

I come before the committee at a very propitious moment. The President just completed a highly successful trip to Senegal, South Africa, and Tanzania during

which he reinforced our efforts to expand economic growth in a mutually beneficial manner, to strengthen democratic institutions, and to invest in African youth as the next generation of African leaders. If confirmed, I particularly look forward to the African Heads of State summit in Washington in 2014, which will further advance the President's efforts on this critical set of issues. The President's trip also extended U.S. engagement on the continent through the unveiling of three critical initiatives. Power Africa aims to increase electricity by at least 20 million new households and commercial entities with on-grid, mini-grid, and off-grid solutions by complementing government resources with private sector commitments. With more than two-thirds of the continent without electricity, this initiative will address Africa's major constraint to economic growth and increased private sector investment. In conjunction with our efforts to expand trade, the President also announced Trade Africa—an initiative that aims to double intraregional trade in the East African Community (EAC), which includes increasing exports to the United States through targeted investments and support to regional governments and institutions. With one in three Africans between the ages of 10 and 24 and approximately 60 percent of the population below the age of 35, the Young African Leaders Initiative helps provide the next generation of male and female leaders with the training and mentoring needed for business and entrepreneurship, civic leadership, and public administration.

Our partnership with the countries and people of Africa has contributed to real progress, made all the more evident by the strength of our relationships across the continent—from Ghana to Tanzania and from Liberia to Namibia. Africa has been too often described as a continent of “emerging” nations. However, given the recent strong economic growth, it is undeniable that a number of the nations on the continent have fully “emerged” and are well on their way toward sustained economic growth with visible and strong democratic institutions. We have been especially encouraged by peaceful transitions between political parties, as we witnessed in Senegal and Zambia. As President Obama has said, “Africa doesn't need strong men, it needs strong institutions,” and this shift is the best guarantee for Africa's future development and stability. This is a trend that the President has emphasized to great effect across Africa, and it is one that I intend to work hard to reinforce and expand, if confirmed. We are watching closely as the people of Mali and Zimbabwe prepare to head to their polling stations in just a few short days for elections that will be critical to the future of their respective nations. Holding credible, democratic elections in Mali is the first step in the nation's return to constitutional order and the establishment of a government with the legitimacy to pursue longer term political and development priorities, including national reconciliation and peacebuilding efforts. In Zimbabwe, we are concerned that elections are moving forward in spite of incomplete reforms and insufficient electoral preparations. Zimbabwe's elections need to be peaceful and credible, and reflective of the will of the people.

In the coming years, across the continent, we will have to prioritize our support for the critical democracy and governance programs that underpin the success of all other efforts—from our investments in global health, to our assistance in the security sector, to our work on advancing women's participation. Democracy and governance have long been—and should remain—a top priority. Without these efforts, progress in other sectors may ultimately be unsustainable.

We are beginning to see visible evidence of parallel gains in economic growth and economic development on the continent. Africa is booming in nearly every sector, from massive energy developments in Mozambique, Tanzania, and Ghana; to the growth of Rwanda and Kenya's information technology sectors; to the thriving auto industry in South Africa. At the same time, we will need to continue efforts to encourage American businesses to actively participate in Africa's economic renaissance. During his address to business leaders in Tanzania, President Obama noted that strengthening good governance is good business as well. Lack of fiscal transparency and corruption significantly discourage investment. The administration is working with countries across Africa to improve governance, enhance open government, and uphold the rule of law. Trade and sustainable economic development will flow where rules are predictable and investment is protected. I believe that these political and economic trends are self-reinforcing and will form one of the principal cornerstones of my personal efforts if confirmed. Our businesses understand the importance of respecting international norms, and I will strive to ensure that U.S. companies operating in Africa are treated fairly and are given every opportunity to compete in the marketplace.

When the playing field is level, I am confident that American firms can compete successfully with anyone in the world, including nations such as China. We do not view U.S. and Chinese engagements in zero-sum terms. Chinese efforts to build

infrastructure and enable economic growth are much needed but we will also continue to encourage China to play a constructive role through activities that are consistent with international norms. Ultimately, African governments should drive a hard bargain in the deals they make with every nation to ensure they are the best for their people and their futures. U.S. businesses add value and our partnerships create broad, sustainable, economic opportunity, making a meaningful difference in people's lives.

To further support U.S.-African trade, we are looking forward to the upcoming African Growth and Opportunity Act (AGOA) Trade Ministerial in Ethiopia this August, and if confirmed, I hope to work closely with Congress to pave the way for AGOA's renewal. Working together alongside our African partners, we will also have to make these trade preferences more effective and ensure that more African goods can compete successfully in the global marketplace. The bulk of our trade is currently with just three countries, South Africa, Nigeria, and Angola, and it must be further broadened. We also continue to support African women entrepreneurs through the African Women Entrepreneurship Program, which identifies and builds networks of women entrepreneurs across sub-Saharan Africa. This program has been instrumental in building the capacity of African women entrepreneurs, who are often agents of change in their communities.

Another part of the challenge ahead will be to maintain our focus on the people of Africa, to listen to their voices, and to include their concerns in our policy deliberations. Our work on HIV/AIDS through PEPFAR is a great example of the new kinds of partnerships we are forming. Thirteen countries have now passed the programmatic "tipping point" where more people are newly receiving treatment than are being newly infected with HIV. And countries such as South Africa and Namibia are increasingly taking on their own epidemics, assuming greater costs and leadership for treatment.

As we deepen our partnerships on the continent, our efforts will also stay true to the fact that human rights is a core American value. Governments that respect human rights, including women's rights, and democratic norms make stronger and more stable partners for economic growth, development, peace, and prosperity. We will continue to support partners who respect these norms, and will continue to speak out, both in public and in private, when nations stray from their responsibility to protect their people's rights. We must continue to strengthen local human rights groups in Africa and engage high-level foreign leaders when we see laws or actions that impinge on the human rights of their citizens—whether it is attempts to restrict the free flow of information or freedom of assembly, obstruct the operations of civil society and local NGOs, or the ways in which countries confront insurgencies that may put civilians at risk.

We will continue to work hard to consolidate democratic progress, economic growth and the security necessary for families to live "normal" lives in peace and freedom. Both instability and insecurity greatly diminish the prospects and aspirations of future generations, and dampen the hopes of too many citizens. While some countries are stable and experiencing economic and social vitality, others remain years and even decades behind owing to conflict. From the eastern Congo to the Sahel, and from Somalia to the tensions that still exist between Sudan and South Sudan, too many lives have been lost and too many others remain under severe threats. Violent extremist organizations, some of them affiliated with al-Qaeda, seek to exploit conflicts and weak institutions to expand their reach. Our efforts to promote stability have also led to the expansion of partnerships focused on responding to transnational threats such as terrorism, drug trafficking, wildlife trafficking, and piracy. Meanwhile U.S. support to critical peacekeeping operations has allowed us to leverage our resources and work multilaterally to encourage peace. In each of these cases we are working with the African Union, as well as other regional and international organizations and the countries themselves to help find solutions. We will continue both our humanitarian efforts on behalf of those living with conflict and our efforts to resolve those conflicts. We also know that for true stability to flourish, we have to push for the full inclusion of women at every step of the process.

I understand that the opportunities and the challenges in Africa require a comprehensive U.S. policy, one that takes a holistic view, is integrative, proactive, and forward-looking. If confirmed, I will always balance our long-term interests with the near-term and urgent imperatives we face each week. I will work to build on the foundation of successes set during President Obama's first term, and clearly articulated in the June 2012 Presidential Policy Directive on sub-Saharan Africa. This will mean working closely with our African partners to strengthen democratic institutions beyond just the need for free, fair and transparent elections. If confirmed, I will strive to also establish environments where new entrepreneurship ecosystems

can flourish, economic opportunities can grow, and comprehensive development frameworks can take root, not only to encourage more trade, investment, and economic growth, but to help reform and create the conditions under which they can thrive. Equally important will be finding sustainable ways to advance peace, security, and stability throughout the region as prerequisites for meeting the aspirations of Africans and Americans alike. I do not mean to sound immodest by raising our expectations and setting very high goals, but for far too many years we have been Africa's partner in times of adversity. While we will continue to support the African people in moments of crisis, we will now also be Africa's partner in times of prosperity. Admittedly this is a big challenge, but, if confirmed, it is one that I very much look forward to pursuing with your help and with the Africa Bureau's enthusiasm and energy.

I would be pleased to respond to any questions you may have.

Senator COONS. Well, thank you, Madam Ambassador. We will now begin a round of 7 minutes for questions if we could.

Ambassador, I love the way you concluded your testimony by stating that the United States has long been friends of the people of Africa in adversity, at times of crisis, and we now need to sort of refocus our energies and efforts on how to be good partners and friends in the times that they move toward prosperity as well.

I believe we can and should do much more to promote direct investment and trade with Africa. A number of the initiatives announced by the President have to do with that. What steps can the State Department and our embassies take to strengthen that and do you have the tools and skills amongst the embassies that you need, and if not what more could we do to support that work?

Ambassador THOMAS-GREENFIELD. Senator, thank you very, very much for that question. We are working—and I can talk from the vantage point of having just completed my assignment as Director General of the Foreign Service. We have been working to build the economic capacity through econ statecraft in the State Department over the past year. My colleagues and I in HR have worked with the EB Bureau to look at how we can better train and better prepare our economic officers to deal with the investment and commercial climate that they will face in our embassies overseas. I think we have had quite a bit of success in doing that.

But it also requires other entities within the U.S. Government structure to help with that. You and I met earlier and we talked about the lack of presence of commercial officers, and I would like to see more presence of our commercial officers overseas. I think that we have to look broadly at all of our activities, the activities that relate to Treasury, the activities that relate to governance, to help build the capacity of African countries to take advantage of investments, so that they are prepared also to deal with prosperity and not just adversity.

So we still have a lot of work to do, and any help that you can provide in supporting our efforts would be most appreciated.

Senator COONS. I know I and others are eager to work with you on AGOA specifically, but more broadly on how we get an “all of the above” strategy for the Federal Government and its facilitation of the private sector's engagement with Africa. We have got lots of folks, Exim, OPIC, TDA, Commerce among many others, to get in the mix, and USAID is a vital partner as well.

You referenced also the importance of democracy and governance in the portfolio of activities funded by the United States and delivered through State. On the eve of elections in Mali and Zimbabwe,

and given the fragility or the tensions within some of our key allies—Uganda, Ethiopia, Nigeria—how will you advance democratic values? How will our embassies advance democratic values, and how do we manage the tension with our competitors, the Chinese and others, who offer an alternative source of partnership, both diplomatic and economic, that does not raise difficult issues of human rights, of democracy, of press freedom, and others across the continent?

Ambassador THOMAS-GREENFIELD. Again, thank you. Thank you for that question. I think it is clear to us that democracy and governance does not end with elections, that we have to be there to continue to support African countries in building the institutions that they need to prosper and succeed in the future.

As the Ambassador to Liberia, I worked very, very closely with the Government of Liberia to help them prepare for not just the election, but prepare for moving their democracy forward to the next level. Our USAID programs that support institutions such as the press, support NGOs, support local college students who are looking to go into politics, helping to build the capacity of them to understand how politics work and how they can succeed in being successful politicians, these are all programs that we have to continue to work on, and the Presidents Initiative on African Leaders I think will contribute to that significantly.

The tensions with China. I think we have a good story to tell. When you talk to African leaders across the board, they appreciate the support that they get from us, even when that support comes with criticism, because they know that our criticism is constructive. And they know that in the final analysis, that what we offer in terms of our own values on human rights is so much better than what they are getting from outside of the United States.

So again, I think I do not see us as competing. I do not even see the Chinese as being an alternative. As I said, African leaders have to strike the best deal that they can strike for their people, and I think they get it. So we just have to do more to help build their capacity, so that they can negotiate in a stronger position with countries that are not raising issues of human rights, as we do on a regular basis.

Senator COONS. I appreciate the sentiment. I do at times think we are in competition, but I do think a primary focus on calling upon African leaders to serve their people, their government, their agenda, I respect and agree with.

As my last question of this round: If you would focus on the President's recent trip, there is a whole series of initiatives. You mentioned the upcoming summit of heads of state. There is also the Young African Leaders initiative, initiatives on energy, on trade, on wildlife trafficking. How do we turn these into broader, more effective, more sustained initiatives, particularly given the many other priorities that various ambassadors will face? How do we make these make a lasting difference?

Ambassador THOMAS-GREENFIELD. I think the important key to making these lasting is to get buy-in from the African countries who will benefit from these initiatives. I think we have gone a long way in getting that buy-in. The summit to take place next year will

also give us an opportunity to ensure that we have their support and that we move the agenda forward on these issues.

If confirmed, I will work very, very quickly within the Africa Bureau and within the building, because it is not just an Africa Bureau responsibility to ensure that we have the resources in place to address the initiatives that the President announced when he was in Africa.

Senator COONS. Well, sadly, there are several buildings that are relevant here. One of them is here, and I look forward to working with you to ensure support in this building as well as in that building.

I will turn to Senator Flake. Senator Flake.

Senator FLAKE. Thank you, Mr. Chairman.

Thank you for your testimony. There is obviously a lot to do across the continent and you have the benefit or detriment, I guess, to have to answer questions about all of Africa. But with regard to trade for a minute, if you look at the overall trade between the United States and Africa and China and Africa, there is not much difference right now. We are about \$70 billion a year. But Chinese trade has increased substantially over the past decade and we have not.

What can we do, aside from AGOA? And I agree we will work hard to get that reauthorized and go forward. But what specifically can we do aside from AGOA to change that direction?

Ambassador THOMAS-GREENFIELD. I think there are two things that we can do. First, on the continent of Africa we need to advocate for American companies and American businesses. We need to push for a level playing field with African countries so American companies can feel comfortable bidding on projects in Africa and investing in Africa.

But the second part of that is also to work with American companies here in the United States to make sure that they are aware of the opportunities in Africa to invest, aware of the opportunities to make profits on the continent of Africa. Africa is booming and we need to make sure that American companies are prepared and knowledgeable about what is available there for them.

I think that AGOA is one part of that. The other part of it is to ensure that we do the kinds of things that my predecessor did. He took a trade mission to Africa. I hope to continue with that kind of initiative in encouraging American companies to look at Africa.

Senator FLAKE. There is no doubt that the United States, because of what we have done particularly with regard to AIDS across the continent, PEPFAR and what-not, is viewed more favorably than we would be otherwise, and our humanitarian assistance, health-related assistance, has been a great boon to our relationship with many countries. There has been some criticism, however, that our aid and overall aid to Africa is tilted too much toward humanitarian or health-related issues and that it ought to be more toward long-term sustainable development and trade. What is your assessment there?

Ambassador THOMAS-GREENFIELD. Sir, I think we need to do both. We cannot stop doing humanitarian assistance when people are dying. We cannot pull back on health programs when there are no health programs. So those programs have been very, very im-

portant to the success, our success in Africa, and also helping African countries develop.

At the same time, we have to take a much more long-term view and again help African countries build the capacity so that they can deal with their health initiatives and then we can work with them on building their infrastructure so that they can encourage investments and push for opportunities for their people to move into the middle class so that they no longer need our aid and assistance. That is the ultimate goal.

Senator FLAKE. With regard to elections in Zimbabwe coming up here soon, obviously the neighboring countries, SADC, are involved heavily and a lot of our involvement is through those countries. What can we do and what are we prepared, and are we prepared, for whatever eventuality comes after these elections to move ahead?

Specifically, we have some sanctions that have been imposed. We have relaxed a bit on some of our loans to the development bank and what-not. What is your feeling in terms of our flexibility with regard to sanctions and what can the Congress do to help State respond in a timely fashion to ensure the best outcome that is possible?

Ambassador THOMAS-GREENFIELD. Thank you for that question. I look forward to working with you on what is a very, very difficult and important issue for us. The sanctions that we have in place have worked. There are sanctions on individuals and I think we will continue to use those sanctions to ensure that those who are involved in violence, who are blocking Zimbabwe's progress on democracy, feel the response of the U.S. Government, and I think we should continue to use those as we have used them in the past.

We are working with, as you noted, others in the region, with SADC, with the EU, with the AU, to ensure to the extent possible that the election is one that is free and fair. But we are prepared, as other countries are, to call it as we see it. Our Ambassador and his team in Zimbabwe have been actively out in the field and will continue to do that throughout the election process. It is something that—that election is one that we are watching very, very closely and we are preparing ourselves for the responses that will be required should the election not be one that we can accept. From everything we have seen in recent days, we are not convinced that it will be.

Senator FLAKE. Well, thank you. Please come to us if you need more flexibility in that regard to respond appropriately and you think that it is something that Congress needs to move on. I am sure that we will be willing to look at it and work with you on that. So I look forward to that and I look forward to working with you on this and other issues.

Thanks.

Ambassador THOMAS-GREENFIELD. And I thank you.

Senator COONS. Ambassador, I have just a few more questions, if I might. First, following up on your most recent role and assignment, the embassies that we have across the continent range from the very large and very well staffed with many different functions, such as Nairobi, to those that are relatively small, lightly staffed, with relatively junior officers, often in conflict-ridden states. When

I saw you in Liberia, I was struck at how relatively small, compared to the scale of the challenges, our Embassy was there and how highly motivated the folks at the Embassy were.

How will you work to ensure that Africa Bureau, and the Department more broadly, provides the support, the training, the security, to ensure that our diplomats in Africa are able to do their jobs, are able to be out, to engage in countries, able to promote commerce, support democracy, deal with crises and challenges, yet be safe and supported in doing so?

Ambassador THOMAS-GREENFIELD. Thank you very much for that question. As the Director General of the Foreign Service, I did get to see up close and very personal the limitations that we have in terms of staffing. We have this huge, huge bulge of entry-level officers who are rising very rapidly through the system, because there is a mid-level gap. What that means is that in most of our embassies, and particularly in Africa, we have our ambassadors, our deputy chiefs of mission, and then a huge group of entry-level officers who need to be mentored and who need strong leadership.

So the important element of this for me is that we provide them with the strong leadership so that they can do the jobs that we have sent them out to do in very, very difficult locations. I think with the six ambassadors that you will be looking at confirming today and other ambassadors we have in the field, we are preparing our ambassadors for those very intense leadership roles.

At the same time, we have to work to get those new officers the training they need to do their jobs. We are getting them the language training. As the Director General, it was rare, if ever, that I approved a language waiver because I know how important it is for our people to go in the field with the language skills that they require. I ensured that people got the training that they required and that we help build the training capacity at our Foreign Service Institute so that we can provide that training to our officers.

That said, it is still going to be very difficult. We are still going to be struggling for a few years to build that capacity. But I think we are moving in the right direction.

Senator COONS. One of the things I am most interested in as it unfolds, working with you on and others, is the Young African Leadership Initiative the President announced. You also referenced the upcoming head of state conference here. Several of the other countries that are principally interested in the African market have been hosting comparable summits for years, both in their countries and on the continent. I have had a number of heads of state comment directly, pointedly, to me that they feel the absence of an American investment in that kind of continent-wide convening.

I have also heard comments from both young and mid-career African leaders of many sectors that they are concerned that the YALI initiative will simply be a semester abroad experience in the United States and will not be Africa-centered and broadly representative of all the different sectors in which young leaders are emerging.

Any comments on how we might succeed by comparison with other countries that have invested very heavily in senior leadership trips to Africa?

Ambassador THOMAS-GREENFIELD. I think we do that, sir. We have our visitors programs, but also if we look at the number of senior visitors, particularly members of Congress, who visit Africa on an annual basis, we are not neglecting Africa. We are very, very focused on that relationship.

It is true that we have not had a large summit and I look forward to the one that we are going to have. I think that will advance our agenda quite a bit. But I do not think any African leader can say that we have neglected them in any way, shape, or form.

Secretary Clinton made three trips to Africa. She came to Liberia twice, which is unheard of, during her tenure. Secretary Kerry has already been to Africa and, if I am confirmed as the Assistant Secretary for Africa, he will be going as regularly as I can get him to go, to ensure that there is an understanding that we are committed to the African Continent.

On the Young Africa Leaders Initiative, this did not just start with the President's visit. When I was in Liberia we sent three young Liberian leaders to a youth program organized by the White House about 2½ years ago. Those three individuals have been actively connecting with other youth in Liberia. They have held a number of programs. They have communicated with other youth across Africa. So the initiative did not just start and it did not stop with that first visit of African leaders.

So I think this is just taking it the next step and we will continue to take it further steps. Even if these young people have a semester abroad in the United States, that will impact them for their entire lives. I meet so many senior African leaders who spent a semester in the United States. Many of them I went to college with at the University of Wisconsin, and they are still actively and politically important in their countries, but also have great feelings toward the United States because of those experiences. President Sirleaf is one of them, having spent just 1 year in the United States at the University of Wisconsin.

Senator COONS. Well, as you know, even a semester spent overseas can have a lifetime impact.

Ambassador THOMAS-GREENFIELD. Yes.

Senator COONS. My concern simply is that we craft something that is broad, that is sustainable, and that has mutually reinforcing opportunities on the continent and here. I look forward to working with you to ensure a sustained and high level of enthusiasm and interest.

One of the best things about working on Africa in the Senate is its bipartisan support. This is a continent of concern and engagement that enjoys very broad Republican support as well as Democratic support at a time when we have difficulty agreeing on lots of things. It is a great area of shared interest and shared endeavors. So I look forward to working with you in that.

A last question if I might. I just am personally concerned about Iran's reach across the continent. The immediate past-President, Ahmadinejad, made a number of trips. They have tried with a variety of resources, energy, investment, and so forth, to build partnerships and bridges. Is this of any concern to you? Is it something you have noticed and is it an area that you might follow up on as Assistant Secretary?

Ambassador THOMAS-GREENFIELD. Thank you, sir. Yes, it is an area that we will follow up on. I think the—and again, this is not my expertise, but, having been in Africa when the President of Iran visited the AU when I was at the AU in 2006 and he gave a speech, my personal opinion is that the impact of that was not particularly rewarding for him. I think African countries are sensible enough to know where their friends are and they know that the United States is a friend, and we will continue to work with them to address those kinds of impacts and concerns.

I certainly look forward to working with you as well as other Members of the Senate and on the Hill on addressing those types of issues.

Senator COONS. Thank you very much, Ambassador. I very much look forward to working with you as well on assuring a sustained broad relationship of respect, of trust, of friendship, of investment, and of a steady movement towards democracy and prosperity.

Senator Flake, any further questions?

Senator FLAKE. No.

Senator COONS. Thank you very much, Ambassador.

Ambassador THOMAS-GREENFIELD. Thank you.

Senator COONS. I would like to invite our second panel to come before us now.

Thank you. I would like to continue with our second panel. You are seated in a slightly different order than my questions, so forgive me. I will attempt to follow the order that is in front of me and introduce you apparently in order of State Department seniority.

So if I might, I am going to ask you each to make an opening statement and I invite you to make some comments of welcome or appreciation to any family or friends who might be with you. We have got your written statements, but I know we are both interested in hearing your personal inflection and delivery of them as well.

I would like to first invite Ambassador James Entwistle, the nominee to serve in Nigeria. Ambassador Entwistle.

STATEMENT OF HON. JAMES F. ENTWISTLE, OF VIRGINIA, TO BE AMBASSADOR TO THE FEDERAL REPUBLIC OF NIGERIA

Ambassador ENTWISTLE. Thank you very much, and apologies again for that ride in from the Kinshasa Airport, Senator Coons, earlier this year.

Senator COONS. It was wonderful, memorable, and instructive.

Ambassador ENTWISTLE. Mr. Chairman, members of the committee, I am honored today to appear before you as the President's nominee to be the United States Ambassador to the Federal Republic of Nigeria. I would like to thank President Obama and Secretary Kerry for the confidence they have placed in me, and if confirmed I look forward to working with this committee and the rest of the Congress to advance our relationship with Nigeria.

In my 32 years in the U.S. Foreign Service, I have had the privilege of serving in a number of African posts, currently as the U.S. Ambassador to the Democratic Republic of the Congo. I have found all of these assignments richly satisfying in that they presented an opportunity to work on fundamental issues of war and peace, alle-

viating human suffering, promoting democracy and economic growth.

I would also note that my wife and I met and married in west Africa many years ago and thus on a personal level we are very excited to be going back.

Mr. Chairman, I believe strongly that the success of our diplomacy depends on our people and if confirmed my highest priority will be to ensure the safety, security, and well-being of our mission employees and the American community in Nigeria.

Nigeria is a dominant economic force and political leader in west Africa. They have accomplished much in the past 14 years of civilian rule, but prospects are tempered by many challenges, with good governance, civilian security, and accountability the keys to realizing Nigeria's enormous potential.

In 2011 they conducted its most successful and credible elections since the return to multiparty democracy in 1999. We are eager to build on this achievement with the 2015 national elections and we hope to work with our Nigerian friends to make them even more credible and peaceful. If confirmed, I will ensure that we will deploy our resources and engagement in support of an inclusive and transparent electoral process. I will continue focusing United States efforts on partnering with Nigeria to more effectively fight corruption and advance transparent and accountable governance.

Nigeria is the second-largest recipient of American direct private sector investment in Africa, our largest trading partner in Africa, and our largest export market for United States wheat. I am committed to expanding bilateral trade and promoting U.S. investment.

As one of the most influential members of the Economic Community of West African States and with more than 6,000 peacekeepers deployed worldwide, Nigeria has played a key role in helping to resolve major political and security disputes in west African over the years.

Right now Nigeria faces a very real threat from extremist groups, in particular Boko Haram, which has killed hundreds of political and security officials and attacked civilians who have congregated peacefully in mosques, churches, and places of business. If confirmed, I will work with the Nigerian Government to assist security forces to increase public confidence in its efforts to address violence and terrorism, while addressing the legitimate economic needs of communities vulnerable to violent extremism.

United States engagement with the Nigerian Government is done in the context of partnership and reflects the whole of government approach that we encourage the Nigerians to pursue. Our forum for engagement is the U.S.-Nigeria Binational Commission. If confirmed, I am committed to using that body as a mechanism to advance our bilateral dialogue. I will be an active advocate for America as we advance our bilateral relationship with Nigeria and our partnership with the nations of the region.

Mr. Chairman and members of the committee, thank you very much for this opportunity. I welcome your questions.

[The prepared statement of Ambassador Entwistle follows:]

PREPARED STATEMENT OF HON. JAMES F. ENTWISTLE

Mr. Chairman, members of the committee, I am honored today to appear before you as the President's nominee to be the United States Ambassador to the Federal Republic of Nigeria. I would like to thank President Obama and Secretary Kerry for the confidence they have placed in me and, if confirmed, I look forward to working with this committee and other Members of Congress to advance our relationship with Nigeria. In my 32 years in the U.S. Foreign Service, I have had the privilege of serving in a number of African posts, currently as the U.S. Ambassador to the Democratic Republic of the Congo. I have found all of those assignments richly satisfying in that they presented an opportunity to work on fundamental issues of war and peace, alleviating human suffering, promoting democracy, and economic growth. In my view, nowhere else in the world does the United States have the opportunity to make a positive difference than in Africa, and I am deeply honored to have an opportunity to do just that once again. I would also note that my wife and I met and married in west Africa many years ago and thus on a personal level we are very excited about going back.

Mr. Chairman, I believe strongly that the success of our diplomacy depends on our people, and, if confirmed, I will make it my highest priority to ensure the safety, security, and well-being of our mission employees, and the American community in Nigeria. We have a robust and effective interagency presence in Nigeria, and we are committed to enhancing our engagement in the critically important and predominantly Muslim north.

Nigeria is a dominant economic force and political leader in west Africa. While Nigeria has accomplished much in the past 14 years of civilian rule, its prospects are tempered by many challenges, with good governance, civilian security, and accountability the keys to realizing the country's enormous potential. In 2011, Nigeria conducted its most successful and credible elections since its return to multiparty democracy in 1999, and we are eager to build on this achievement with the 2015 national elections being even more credible and peaceful. If confirmed, I will ensure that we deploy our resources and engagement in support of an inclusive and transparent process. In 2011 Nigeria passed a landmark Freedom of Information Act, allowing citizens to request information from government offices, and in recent years, Nigeria has joined and become compliant with the principles of the Extractive Industry Transparency Initiative, providing greater transparency and accountability in the management of the country's natural resources. I will continue focusing U.S. efforts on partnering with Nigeria to develop measures to more effectively fight corruption and advance transparent and accountable governance. Nigeria is the second-largest recipient of American direct private sector investment in Africa, our largest trading partner in Africa, and our largest export market for wheat. I am committed to expanding bilateral trade and promoting U.S. investment in Nigeria as a vehicle for economic growth.

As one of the most influential members of the Economic Community of West African States and with more than 6,000 peacekeepers deployed worldwide, Nigeria has played a key role in helping to resolve major political and security disputes in west Africa from the Liberian and Sierra Leone crises in the 1990s to the political problems in Guinea, Niger, Cote d'Ivoire, and Mali. Nigeria faces a real threat from extremist groups, including Boko Haram, which have killed hundreds of political and security officials and attacked civilians who have congregated peacefully in mosques, churches, and places of business. In order for Nigeria to continue to exercise leadership in the region, however, it must address the serious problems of development and security at home, particularly in the north. If confirmed, I will work with the Nigerian Government to assist security forces to increase public confidence in its efforts to address violence and terrorism while addressing the legitimate economic needs of communities vulnerable to violent extremism.

U.S. engagement with the Nigerian Government is done in the context of partnership, and reflects the comprehensive, whole-of-government approach we have asked the Nigerians to pursue. The forum for this engagement is the U.S.-Nigeria Binational Commission. If confirmed, I am committed to using this body as a mechanism to advance our bilateral dialogue. We have a rich agenda with Nigeria, with many challenges and opportunities. If I am confirmed as U.S. Ambassador to Nigeria, I will be an active advocate for America as we advance our partnership with this strategic African country.

Mr. Chairman, and members of the committee, thank you for the opportunity to appear before you today, and I welcome your questions.

Senator COONS. Thank you, Ambassador. I appreciate your service and your willingness to continue your service and to return to west Africa.

Ambassador ENTWISTLE. Thank you, sir.

Senator COONS. I would now like to invite Ms. Haslach to make her opening statement, and then we are going to invite each to do a statement in order and then we will do 7-minute rounds of questions.

**STATEMENT OF HON. PATRICIA MARIE HASLACH, OF OREGON,
TO BE AMBASSADOR TO THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA**

Ambassador HASLACH. Mr. Chairman, Ranking Member Flake, and distinguished members of the committee, I am deeply honored to appear before you today to seek confirmation as United States Ambassador to the Federal Democratic Republic of Ethiopia. I appreciate the confidence that President Obama and Secretary Kerry have shown in me by this nomination.

I would like to say that my family could join me, but unfortunately they were not able to attend. My mother lives in Portland, OR. So I asked my boss, Assistant Secretary Rick Barton from the Bureau of Conflict and Stabilization Operations, who comes from that other Portland, to come today, and he is behind me, as well as my colleague, Jerry White, Deputy Assistant Secretary in our State Department's newest Bureau.

If confirmed, I look forward to working with the committee, interested members of Congress, and other Americans to represent the United States in Ethiopia. Ethiopia is a vital partner to the United States in the Horn of Africa, sharing our interest in regional stability and strategic objectives. Participation in the African Union's counterterrorism efforts, for example, supports our objectives in the region.

Ethiopia deployed troops in Somalia as well as in Sudan and has been actively involved in facilitating negotiations between the leaders of Sudan and South Sudan in two summits. Ethiopia is also host to refugees in the region.

If confirmed, I intend to build on this partnership. It is in the interest of the United States to promote sustainable economic development and liberalization of the economy in Ethiopia. Prosperity and economic freedom go hand in hand with good governance, rule of law, and respect for human rights. Ethiopia ranks among the 10 fastest-growing economies in the region, averaging 10 percent GDP growth over the past 5 years.

If confirmed, I will work to facilitate economic reforms that could benefit United States trade and investment while improving economic freedom and self-sufficiency for Ethiopians. If confirmed, I will press the Government of Ethiopia to respect the rights of all its citizens regardless of ethni—I cannot pronounce that—clan, political views, or religious affiliation. If confirmed, I will work with the Ethiopian Government to open up the political space and advance reforms that promote freedom of expression, association, and rule of law. America's steadfast commitment to the advancement and protection of human rights and democratic principles around

the world provides hope for many who seek positive change in Ethiopia.

Some recent events are encouraging. On June 2 of this year, for example, 7,000 demonstrators from the Muslim community marched peacefully throughout the capital without government interference. This was the first political demonstration the Ethiopian government officially permitted since 2005.

If confirmed, a major priority will be to ensure that my talented men and women who work for us in Addis Ababa remain safe, as well as the American community.

I am proud to have served my country for a number of years, first with the Foreign Agricultural Service, where Ethiopia was the first country that I ever had the privilege of working on. So I am honored to serve my country and if confirmed I will devote myself to persuading the Ethiopian people and their government that commitment to human rights and liberalization of the economy is in our common future.

Mr. Chairman and members of the committee, thank you for this opportunity to address you. I will leave some time for the questions.

[The prepared statement of Ambassador Haslach follows:]

PREPARED STATEMENT OF HON. PATRICIA M. HASLACH

Mr. Chairman, Ranking Member Corker, and distinguished members of the committee, I am deeply honored to appear before you today to seek confirmation as U.S. Ambassador to the Federal Democratic Republic of Ethiopia. I appreciate the confidence that President Obama and Secretary Kerry have shown in me by this nomination. If confirmed, I look forward to working with the committee, interested members of Congress, and other Americans to represent the United States in Ethiopia.

Ethiopia is a vital partner to the United States in the Horn of Africa, sharing our interest in regional stability and strategic objectives. Participation in the African Union's counterterrorism efforts, for example, supports U.S. objectives in the region. Ethiopia deploys troops alongside the Somali National Army and the African Union Mission in Somalia (AMISOM), and contributes nearly all of the troops that currently serve as the U.N. Interim Stabilization Force in Abyei (UNISFA). Ethiopia is also active in the Sudanese peace process, having facilitated negotiations between the leaders of Sudan and South Sudan in two summits. If confirmed, I intend to build on this partnership.

It is in the interest of the United States to promote sustainable economic development and liberalization of the economy in Ethiopia. Prosperity and economic freedom go hand-in-hand with good governance, rule of law, and respect for human rights. Ethiopia ranks among the 10 fastest-growing economies in the world, averaging 10 percent GDP growth over the last 5 years. If confirmed, I will work to facilitate economic reforms that can benefit U.S. trade and investment, while improving economic freedom and self-sufficiency for Ethiopians.

If confirmed, I will press the Government of Ethiopia to respect the rights of all its citizens regardless of ethnicity, clan, political views, or religious affiliation. Politically motivated trials, ongoing tensions between some in the Muslim community and the government, and restrictions on nongovernmental organizations cause serious concern. If confirmed, I will work with the Ethiopian Government to open political space, and advance reforms that promote freedom of expression, association, and rule of law.

If confirmed, I will be committed to promoting our efforts and policy approach on gender-based violence and discrimination against the LGBT community. Domestic violence, especially spousal rape and the lack of legal remedy or support for survivors, are challenging problems of critical focus. Encouragingly, Ethiopia's national prevalence of HIV/AIDS declined to 1.4 percent nationally since the President's Emergency Plan for AIDS Relief (PEPFAR) began work with Ethiopia in 2005.

America's steadfast commitment to the advancement and protection of human rights and democratic principles around the world provides hope for many who seek positive change in Ethiopia. Although many problems exist and abuses occur, some recent events are encouraging. On June 2 of this year, for example, several thou-

sand demonstrators calling for the release of political prisoners, an end to interference in religious affairs, action on unemployment and corruption, and an end to illegal evictions marched peacefully through the capital, without government interference. This was the first such political demonstration the Ethiopian Government officially permitted since 2005.

If confirmed, a major priority will be to ensure that the talented men and women working for the U.S. mission in Addis Ababa remain safe and have every opportunity to succeed as our representatives to Ethiopia. Of equal importance is the safety of American citizens living and traveling in Ethiopia.

I am proud to have served my country as a Foreign Service officer since 1986, first with the Foreign Agricultural Service and then with the Department of State. I have been honored to serve as U.S. Ambassador twice, first to the Lao People's Democratic Republic, then as U.S. Senior Official for the Asia-Pacific Economic Cooperation forum (APEC). In my current position in the Bureau of Conflict and Stabilization Operations, I have become quite familiar with the challenges the United States faces in the east Africa region. If confirmed, I will devote myself to persuading the Ethiopian people and their government that commitment to human rights, liberalization of the economy, and a transparent, inclusive political process are central to our common future.

Mr. Chairman and members of the committee, thank you for this opportunity to address you. I am prepared to respond to any questions you may have.

Senator COONS. Thank you very much.

I would now like to turn to Mr. Reuben Brigety, nominee for the African Union. Mr. Brigety.

STATEMENT OF REUBEN EARL BRIGETY, II, OF FLORIDA, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE AFRICAN UNION, WITH THE RANK AND STATUS OF AMBASSADOR

Mr. BRIGETY. Chairman Coons, Ranking Member Flake, members of the committee, good morning. It is a great honor to appear before you today as President Obama's nominee to be the next Representative of the United States of America to the African Union, with the rank of Ambassador. I am deeply grateful for the confidence that President Obama and Secretary Kerry have shown in me through this appointment, this nomination.

If I am confirmed by the Senate, my engagement with the African Union, also known as "the AU," will focus on the four themes that encompass President Obama's strategy for sub-Saharan Africa: first, democracy and governance; second, economic growth, trade, and investment; third, peace and security; and fourth, promotion of opportunity and development. If I am confirmed, my tenure will be defined by pursuing and attaining concrete advancements in these four priority areas, and I look forward to working closely with this committee on each.

My earliest exposure to Africa was listening to stories of my father, Dr. Reuben Brigety Senior, about the time he spent in Northern Rhodesia, in what is now Zambia, as a volunteer with Operation Crossroads Africa in 1963. I am pleased that my father is here in the room with us today alongside my mother, Dr. Barbara Brigety. I am also happy to be joined today by my wife, Dr. Leilie Selassie, and our two young sons whom we adore, Roebel, age eight, and Redda, age five, five and three-quarters.

Senator COONS. Let the record reflect that a wave was returned from the chairman to Roebel and Redda.

Mr. BRIGETY. I am also very pleased to be joined by many friends in the hearing room today as well.

My duties in the State Department, as well as my experiences in the U.S. military, the nonprofit sector, and academia, have given me a diverse skill set that is directly relevant to leading the U.S. mission to the AU. From November 2011 until June 2013 I served as Deputy Assistant Secretary of State in the Bureau of African Affairs. My duties there included supervising the Office of Regional and Security Affairs, which supports our mission to the African Union. In this capacity I became familiar with the issues facing the African Union, the leadership of the AU Commission, and the complexities involved in leading the U.S. mission to the AU.

In addition, I supervised the Office of Southern African Affairs and engaged in democracy and trade promotion activities throughout Africa. In short, I have direct experience in each of the four themes that I hope to advance at the African Union. I am excited at the prospect of assuming this responsibility at such a critical time in the history of the African Union and indeed of the continent.

At the 50th anniversary AU summit in Addis Ababa earlier this year, Secretary Kerry quoted the African proverb, "If you want to go quickly, go alone; but if you want to go far, go together." If confirmed, I will be dedicated to helping the United States and the African Union to go far together, building an Africa that is peaceful, prosperous, and proud.

I look forward to working with this committee and the Congress on these worthy goals. Thank you very much for your attention. I look forward to your questions.

[The prepared statement of Mr. Brigety follows:]

PREPARED STATEMENT OF DR. REUBEN E. BRIGETY II

Chairman Coons, Ranking Member Flake, members of the committee, good morning. It is a great honor to appear before you today as President Obama's nominee to be the next Representative of the United States of America to the African Union, with the rank of Ambassador. I am deeply grateful for the confidence that President Obama and Secretary Kerry have shown in me through this nomination.

If I am confirmed by the Senate, my engagement with the African Union (also known as the AU) will focus on the four themes that encompass President Obama's strategy for sub-Saharan Africa: (1) democracy and governance; (2) economic growth, trade, and investment; (3) peace and security; and (4) promotion of opportunity and development. If I am confirmed, my tenure will be defined by pursuing and attaining concrete advancements in these four priority areas, and I look forward to working closely with this committee on each.

My earliest exposure to Africa was listening to stories of my father, Dr. Reuben Brigety, Sr., about the time he spent in Northern Rhodesia (in what is now Zambia) as a volunteer with Operation Crossroads Africa in 1963. I am pleased that my father is here in the room with us today, alongside my mother, Dr. Barbara Brigety. I am also happy to be joined today by my wife, Dr. Leelie Selassie, and our two young sons whom we adore: Roebel, age 8, and Redda, age 5.

My duties in the State Department, as well as my experiences in the U.S. military, the nonprofit sector, and academia, have given me a diverse skill set that is directly relevant to leading the U.S. mission to the AU. From November 2011 until June 2013, I served as Deputy Assistant Secretary of State in the Bureau of African Affairs. My duties there included supervising the Office of Regional and Security Affairs, which supports our mission to the African Union. In this capacity, I became familiar with the issues facing the African Union, the leadership of the AU Commission, and the complexities involved in leading the U.S. mission to the AU. In addition, I supervised the Office of Southern African Affairs and engaged in democracy and trade promotion activities throughout Africa.

From December 2009 until November 2011, I served as Deputy Assistant Secretary of State in the Bureau of Population, Refugees, and Migration, where I supervised U.S. refugee programs in Africa. This role led me to humanitarian crises

across the continent, from Kenya to Ethiopia, and from eastern Congo to western Algeria. These travels showed me in unforgettable detail the human consequences of Africa's conflicts.

In short, I have direct experience in each of the four themes that I hope to advance at the African Union. I am excited at the prospect of assuming this responsibility at such a critical time in the history of the African Union, and indeed of the continent.

The United States remains committed to partnering with the AU and deepening our cooperation to advance our goals on the continent. We continue to work with the AU and support their efforts to resolve conflicts on the continent including Sudan, South Sudan, Somalia, and Mali. We will work along with the AU on the priorities they have set for advancing democratic norms, empowering women, and engaging youth. I will also continue our partnership with the AU in its leadership on food security issues and our dialogue on promoting trade and investment across the continent.

At the 50th anniversary AU summit in Addis Ababa earlier this year, Secretary Kerry quoted the African proverb: "If you want to go quickly, go alone. But if you want to go far, go together." If confirmed, I will be dedicated to helping the United States and the African Union to go far together, building an Africa that is peaceful, prosperous, and proud. I look forward to working with this committee, and the Congress, on these worthy goals.

Thank you for your attention. I look forward to your questions.

Senator COONS. Thank you, Mr. Brigety.

I would like to invite Stephanie Sanders Sullivan to offer her opening comments and any welcome of friends or supporters in the audience.

Ms. Sullivan.

STATEMENT OF STEPHANIE SANDERS SULLIVAN, OF NEW YORK, TO BE AMBASSADOR TO THE REPUBLIC OF CONGO

Ms. SULLIVAN. Mr. Chairman, Ranking Member Flake, members of the committee, It is an honor to appear before you today as the President's nominee to serve as Ambassador to the Republic of the Congo. I appreciate the confidence the President and Secretary of State have shown in nominating me for this position. I am also grateful for the consideration of this distinguished committee. If confirmed, I look forward to working with you, other members of Congress and staff, to protect and advance American interests in the Congo.

I would like to introduce my husband, John, and our sons, Dan and Scott, who join me here today. John accompanied me to Cameroon and Ghana, also served in the Peace Corps in the Democratic Republic of the Congo, and our children have happy memories of our 4 years in Accra.

I have spent nearly half of my 30-year career working on African issues, starting with my service as a Peace Corps Volunteer some 50 miles from Brazzaville, across the Congo River. If confirmed, I look forward to serving in the region again.

The Congo offers many opportunities for positive United States engagement. The country has largely recovered from the 1997 civil war and it is now sub-Saharan Africa's fourth-largest oil exporter. President Sassou Nguesso's development strategy, "Congo Vision 2025," targets 2025 as the year in which the Congo will become an emerging economy.

Our bilateral relationship aims to promote three mutually beneficial goals: first, strengthen democratic institutions; second, promote economic development; and third, improve regional security. The first goal is to strengthen democratic institutions. This in-

cludes the promotion of civil and political rights. The government carried out legislative elections in 2012 in an atmosphere of relative calm. In the runup to Congo's Presidential elections in 2016, the United States is focused on strengthening civil society groups that advocate government accountability and transparency.

If confirmed, Mr. Chairman, I will encourage the Government of the Congo to enhance democratic institutions and continue to implement judicial reforms.

The second goal is to promote economic development. To achieve debt relief, the Congo committed itself to reforms, including more rigorous fiscal discipline. This year Congo was found compliant under the Extractive Industries Transparency Initiative. However, more remains to be done. If confirmed, I will vigorously encourage improvements to the business climate and support U.S. private sector engagement. I know we have multiple programs for development in the country, including in the health and environmental sectors.

The third goal is to improve regional security. Last year's munitions depot explosions highlighted new opportunities for security cooperation and disaster management. We also aim to further professionalize the Congolese Armed Forces and improve maritime security, which is critical to the Congo's offshore petroleum sector, and antipiracy efforts in the Gulf of Guinea. I note the U.S. Coast Guard has certified the Congo's deep water port under the international port security program.

The Republic of the Congo has begun to play a more active role in facing regional security conflicts, from sending peacekeepers to the Central African Republic and to assuming the rotating presidency of the International Conference on the Great Lakes this fall. These reinforce all of our regional security objectives.

If confirmed, I would enthusiastically pursue my mandate to protect United States citizens and interests in the Congo and enhance our relationship between the two nations and peoples.

Thank you, Mr. Chairman, for the opportunity to appear before you today and I look forward to your questions.

[The prepared statement of Ms. Sullivan follows:]

PREPARED STATEMENT OF STEPHANIE SANDERS SULLIVAN

Mr. Chairman, Ranking Member, and members of the committee, it is a privilege and honor to appear before you this morning as the President's nominee to serve as United States Ambassador to the Republic of the Congo. I appreciate the confidence the President and Secretary of State have shown in nominating me for this position. I am also grateful for the consideration of this distinguished committee. If confirmed, I look forward to working with you and other Members of Congress, and congressional staff, to protect and advance American interests in the Republic of the Congo.

If I may, I'd like to introduce my husband John and our sons Dan and Scott, who are here with me today. John accompanied me to both Cameroon and Ghana. Our children have happy memories of our 4 years in Accra. I have spent nearly half of my 30-year career working on African issues, starting with my service as a Peace Corps Volunteer, some 50 miles from Brazzaville, across the river in the Democratic Republic of the Congo. If confirmed, I look forward to serving in the region again.

The Republic of the Congo offers many opportunities for positive United States engagement. The country has largely recovered from the 1997 civil war, thanks to rising oil revenues that have funded reconstruction and infrastructure projects. The Republic of the Congo is sub-Saharan Africa's fourth-largest oil exporter. President Sassou-N'Guesso's development strategy known as "Congo Vision 2025" targets 2025 as the year that the Republic of the Congo will become an emerging economy.

Our bilateral relationship with the Republic of the Congo aims to promote three mutually beneficial goals: to strengthen democratic institutions; promote economic development; and improve regional security.

The first goal is to strengthen democratic institutions. This includes the promotion of civil and political rights. The government carried out legislative elections in mid-2012, in an atmosphere of relative calm. In the runup to the Republic of the Congo's Presidential elections in 2016, the United States is focused on strengthening civil society groups that advocate government accountability and transparency. If confirmed, Mr. Chairman, I will encourage the Government of the Republic of the Congo to enhance democratic institutions and continue implementing judicial reforms. We note that recent improvements in the Republic of the Congo's legal framework have resulted in more effective enforcement of laws against human trafficking.

The second goal is to promote economic development. To achieve debt relief, the Government of the Republic of the Congo committed itself to reforms, including changes in government procurement practices, more rigorous fiscal discipline, and more effective budget implementation. This year, the Republic of the Congo was found compliant under the Extractive Industries Transparency Initiative, representing steps toward transparency in the Republic of the Congo's main revenue source, petroleum. However, more remains to be done. If confirmed, I will vigorously encourage improvements to the business climate and support U.S. private sector engagement.

As a significant contributor to the Global Fund, the United States is working with the Republic of the Congo and other partners to improve the health of the Congolese people, half of whom are under the age of 15.

Sound management of the environment is another important area of partnership. The United States supports several regional environmental initiatives. Enhanced transparency in forest management has forged linkages between climate change mitigation, good governance, and economic development.

The third goal is to improve regional security. The munitions depot explosions in Brazzaville in 2012, which killed more than 200 people, highlighted new opportunities for security cooperation with the United States in disaster management. Our programs aim to further professionalize the Congolese Armed Forces and improve maritime security, which is critical to the Republic of the Congo's offshore petroleum sector and antipiracy efforts in the Gulf of Guinea. Indeed, in 2011, the U.S. Coast Guard certified the deep-water port of Pointe-Noire under the International Port Security Program, as maintaining effective antiterrorism measures.

The Republic of the Congo has begun to play a more active role in a region that faces chronic regional security conflicts. The Republic of the Congo has sent peacekeepers to the Central African Republic and will assume the rotating presidency of the International Conference on the Great Lakes Region (ICGLR) in the fall of 2013. Talks to resolve the conflict in the eastern DRC have been held under the auspices of the ICGLR. Continued U.S. engagement with the Republic of the Congo on security issues will advance our broader regional goals of promoting peace and stability, countering terrorist groups, and protecting civilians from conflicts.

If confirmed, I would enthusiastically pursue my mandate to protect U.S. citizens and interests in the Republic of the Congo. I would use all our public diplomacy tools to advance our goals of strengthening democratic institutions, promoting economic development, and improving regional security, while enhancing the relationship between our two nations and peoples.

Thank you, Mr. Chairman, for the opportunity to appear before you today. I look forward, if confirmed, to serving the United States in Brazzaville, the Republic of the Congo. I would be happy to respond to any questions.

Senator COONS. Thank you very much, Ms. Sullivan.

Last but not least, we would like to turn to Mr. Patrick Gaspard for his opening statement and welcome of any family and friends who might be present.

Mr. Gaspard.

**STATEMENT OF PATRICK HUBERT GASPARD, OF NEW YORK,
TO BE AMBASSADOR TO THE REPUBLIC OF SOUTH AFRICA**

Mr. GASPARD. Thank you. Mr. Chairman, Ranking Member Flake, and members of the committee, I am honored to appear before you today as the President Obama's nominee to serve as the

next United States Ambassador to the Republic of South Africa. I am appreciative of the trust placed in me by President Obama and Secretary of State Kerry.

Please allow me to acknowledge and thank my son and daughter, Indigo and Cybele, and my wonderful wife, Raina, who has worked as an educator and who takes to heart our obligation to provide opportunity for all young people. Let me especially thank Senator Schumer for his earlier very kind and generous introduction and for his principled leadership.

South Africa occupies a central place in my political development. My forays into the early antiapartheid movement as an activist and the success of that movement in raising the consciousness of the world gave me an early sense that justice can be attained by ordinary people who labor with aspirational urgency.

I was blessed to travel to South Africa shortly after the release of Nelson Mandela and developed an abiding affection for its spirited people and culture. Should I be confirmed, it will be my great fortune to represent this country in our efforts to partner with the South African government as it strives to improve the economic conditions of its citizens and as it helps to lead global efforts to increase security and prosperity for all.

The President's recent trip to South Africa highlighted opportunities and ongoing challenges. Most importantly, the President expressed the reality that Americans have a shared interest in these outcomes. I am excited to take on this mission at a moment when South Africa is helping to shape a region that is finally close to receiving more foreign investment than foreign aid.

Should this committee recommend my confirmation, my service in government, politics, and the trade union movement will make me a successful envoy at this critical juncture when South Africa is negotiating the relationship between labor and industry while tackling stubborn income disparities.

South Africans are rightly proud of the progress they have made in their two decades of post-apartheid governance. They have tackled innumerable problems with unmatched resolve. The much-documented crisis in HIV, sustainable housing, and widespread poverty have galvanized the nation into noteworthy accomplishments. South Africa is currently administering antiretroviral treatment to a staggering 1.6 million people and the government has risen to take responsibility for PEPFAR care and treatment programs in the next 5 years. Entrenched poverty is a persistent drag, but the country has developed institutions that routinely deliver support grants for children and pensions for millions. There is much that needs improvement, but there is a foundation for lasting change.

The United States has an ongoing vital role to play in President Zuma's efforts to improve the quality of and access to education, the struggle to combat high unemployment, and by extension the epidemic in crime. Beyond our aid, though, our technical assistance is a great contribution, but our greater contribution will be in stimulating private sector investment and trade. This will be a major priority for my mission if I am confirmed.

As we move toward negotiations on the renewal of AGOA, we must work with our South African partners to enact policies that benefit workers and businesses on both sides of the Atlantic. South

Africa has a leadership influence that extends throughout the continent, playing a key role in Madagascar, the DRC, Sudan, South Sudan, and in ensuring that Zimbabwe's upcoming elections are peaceful and credible. We will continue to partner with South Africa on these and many other regional and global issues.

As we take pause collectively and focus on President Mandela's legacy—and he is in all of our hearts right now—it is altogether right to take in the vista of progress, but we must make sure to continue to work closely with South Africa to attain the summit of achievement.

Mr. Chairman, Ranking Member Flake, committee members, thank you for this opportunity to address you. If I am confirmed, I look forward to working with all of you to strengthen this important bilateral relationship.

[The prepared statement of Mr. Gaspard follows:]

PREPARED STATEMENT OF PATRICK H. GASPARD

Mr. Chairman and members of the committee, I am honored and humbled to appear before you as President Obama's nominee to serve as the next United States Ambassador to the Republic of South Africa. I am deeply appreciative of the trust placed in me by President Obama and Secretary of State Kerry at this critical juncture in our bilateral relationship. Please allow me a pause to acknowledge and thank my son and daughter, Indigo and Cybele, and my wife, Raina, who has worked as an educator and who takes to heart our obligation to provide opportunity for all young people.

South Africa has long occupied a central place in my political development. My forays into the antiapartheid movement as a young activist and the success of that movement in raising the consciousness of the world gave me an early sense that justice can be attained by ordinary people who labor with aspirational urgency. I was blessed to travel to South Africa shortly after the release of Nelson Mandela and immediately developed an abiding affection for its spirited people and culture. Should I be confirmed, it will be my great fortune to represent the United States in our efforts to partner with the South African Government as it strives to improve the economic conditions of its citizens and as it helps to lead efforts throughout the continent to increase security and prosperity for all.

The President's recent trip to South Africa highlighted opportunities and ongoing challenges. Most importantly, the President expressed the reality that Americans have a shared interest in these outcomes. As I consider the arc of the continent of my birth, I'm excited to take on this mission at a moment when South Africa is helping to shape a region that is finally close to receiving more foreign investment than foreign aid. Should this venerable committee recommend my confirmation, my experiences in government, politics, and the trade union movement will all make me a successful envoy at this transformative crossroads. My management experience and leadership in both grassroots and national politics, my leadership position on the President's Transition Committee and my years as an officer with the largest local union in America, have all equipped me with an appreciation for operational efficacy which is essential for the principal manager of one of the largest missions in Africa. Furthermore, my service at the White House and with the health care workers union allowed me to engage in public policy that had a clear and discernible impact on the lives of average Americans and disadvantaged communities. This knowledge would be employed in my diplomatic career in a country that is negotiating the relationship between labor and industry while tackling stubborn income disparities.

South Africans are rightly proud of the progress they have made in their two decades of post-apartheid governance. They have tackled innumerable problems with unmatched resolve. The much-documented crisis in HIV care, sustainable housing, and widespread poverty have galvanized the nation into noteworthy social accomplishments. South Africa is currently administering antiretroviral treatment to a staggering 1.6 million people. Delivery capacity has been improved to the remotest regions of the country. And the government has risen to take responsibility for PEPFAR care and treatment programs in the next 5 years. On the housing front, the government has built over 3 million homes to provide shelter for over 13 million people. Entrenched poverty is a persistent drag, but the country has developed insti-

tutions that routinely deliver support grants for children and pensions for millions. There is much that needs improvement but there is a foundation for lasting change.

The United States has an ongoing vital role to play in President Zuma's efforts to improve the quality and accessibility of education; the struggle to combat high unemployment and by extension the epidemic in crime; and the challenge of income inequality. Beyond our aid assistance and technical expertise, our greatest contribution will be in stimulating private sector investment and trade. This will be a major priority for my mission if I am confirmed. I am pleased that more than 600 American companies are already based in South Africa and I will work to see that number grow. As we move toward negotiations on the renewal of the African Growth and Opportunity Act we must work with our South African partners to enact policies that benefit workers and businesses on both sides of the Atlantic.

South Africa has a leadership influence that extends throughout the continent, playing a key role in Madagascar, the DRC, Sudan and South Sudan and in ensuring that Zimbabwe's upcoming elections are peaceful and credible. We will continue to partner with South Africa to resolve conflicts, to enhance our counterterrorism cooperation, to encourage nonproliferation, to combat wildlife trafficking, and to facilitate intraregional trade. South Africa's reach is indeed global in scope as they advance policies at the U.N., AU, G20 and the BRICS. As the world has collectively focused on Nelson Mandela's legacy, and he is in all of our hearts right now, it's altogether right to pause to take in the vista of progress but to then determinedly press on knowing the summit is attainable. In that spirit, we must work with South Africa to engage the next generation of leaders as is the focus of President Obama who of course hosted the Young African Leaders Institute in Johannesburg.

Mr. Chairman, committee members, thank you for this opportunity to address you today and thank you for your thoughtful consideration of my nomination. If I am confirmed, I look forward to working with you all to strengthen this important bilateral relationship. I look forward to answering your questions.

Senator COONS. Thank you very much, Mr. Gaspard.

I will begin now our rounds, several rounds I suspect, of 7 minutes each of questions in succession to our different nominees.

First, I would like to just open by thanking all of your family members, spouses, children, coworkers, colleagues who are present here. I am very conscious that the careers on which you have already dedicated decades of service to this country, often overseas, often in difficult and demanding posts, are possible only because of the support of your families. So I just want to start by thanking your families who have come, and in particular those who are paying rapt attention and behaving very well, Mr. Brigety, in case you had any concern about that. [Laughter.]

If I might start, Ambassador Entwistle, you are choosing to go from one challenging and engaging assignment to another and I appreciate the seasoning and seniority that you will bring to our relations in Nigeria. You served in the DRC during a particularly flawed and difficult Presidential election. As you commented in your opening statement, Nigeria has recently had one of its most successful elections ever and moving toward another round of credible, transparent elections is a vital part of the steady progress toward a sustainable democracy.

What sorts of lessons do you bring from the experience in DRC? What can the United States do to ensure steady progress toward a free and fair electoral system in Nigeria? And how relevant is this in a country that faces many other more fundamental security challenges and economic opportunities?

Ambassador ENTWISTLE. Thank you, Senator. Indeed, the elections in the DRC were not what we hoped for. They were not what the Congolese people hoped for. Hindsight is always brilliant. Looking back, I think one of the first lessons would be that, given the size of the country, the lack of infrastructure, all of us in the inter-

national community were focused on getting things ready for the voting process itself, making sure that everyone could vote, put the ballot in the box in every corner of that vast country. With the benefit of hindsight, we should have been more focused on the next step: What happens in the counting centers? Because it is very clear to me that that is where the process fell down, in the counting centers.

The other lesson I would learn, and it is not a particularly original one, is the importance of what we say as the U.S. Government. Looking back, I think we more or less said the right things at the right moments, but I remain very attuned to that. Having the privilege of being the U.S. Ambassador gives you a pedestal from which to speak on these issues.

So as we move forward toward elections in Nigeria, if confirmed, I would take with me a focus on the whole process, not just day one, and be very judicious and put a lot of time and energy into when you speak out in public as the U.S. Ambassador.

Senator COONS. Thank you, Ambassador. I am also mindful of the importance of what we say. We do occasionally hold hearings, adopt resolutions, and hope that they are heard in some way. So I look forward to working with you, the Assistant Secretary, and obviously the Secretary to ensure that we are speaking in concert, in harmony rather than in dissonance.

I think in the runup to the election in Zimbabwe, electoral outcomes in Kenya and in Senegal, the American voice has mattered quite a bit. In the last Nigerian elections, the strength of the Electoral Commission was particularly vital and Senator Isakson and I in meeting with the immediate past chair of the Electoral Commission were struck at how successfully they deployed a nationwide network of volunteers to use a text system on cell phones to validate what was being done at polling stations and counting centers. I am hopeful that a comparable system will be in place at this upcoming election.

If I could, I would ask for a comment on that and then one other topic. As to Boko Haram, one of the most striking conversations I had was with the archbishop and the imam of the central mosque in Abuja during a week when there had been a Boko Haram attack, literally 2 days before we arrived and 3 days after we left. It was that archbishop's cathedral that was the focus of a really deadly Christmas Eve attack.

How can we work more effectively to achieve some measure of development and stability in the north and to reduce the tension, and how can we help support the security forces in respecting human rights and in being more effective in combatting Boko Haram?

Ambassador ENTWISTLE. Senator, the United States and Nigeria have been friends and partners for a long time and that will continue for a long time. But I think the true test of friendship and partnership are are you there when things are not going well. As you know, they face a serious security issue in the north with Boko Haram.

It seems to me that we need to help them with their security response to Boko Haram. A key aspect of that will be having the kinds of conversations that friends and partners have about appro-

appropriate conduct of their operations against Boko Haram. We have all seen the disturbing reports of heavy-handedness by the military, and the problem with that and what I look forward to discussing with them if confirmed is making sure that their response does not alienate more people in the north.

So those are the kinds of discussions that we need to have as friends and partners. You put your finger, I think, on another key aspect, which is this is happening in a part of the country that is historically underdeveloped compared to the rest of the country. In preparing for this I was surprised to read that northern Nigeria I think has some of the worst health statistics in all of Africa.

So it is making sure that the security force, which is entirely appropriate—that response does not make things worse rather than better. It is helping them to develop the northern part of their own country. It is helping develop education. It is helping young girls go to school. It is all sorts of things that hopefully will lift up northern Nigeria and now allow Boko Haram and related groups to exploit what is happening in northern Nigeria right now.

Senator COONS. Thank you. I look forward to your leadership on this and to working with you. I think Nigeria is a country, as you mentioned in your opening, of enormous opportunity for us, our largest export market for wheat in Africa, for example, a major source of oil and other petroleum products. But I also think there are real mutual opportunities in manufacturing, in clean energy and sustainability. So I look forward to working with you to find ways to further that.

Senator Flake.

Senator FLAKE. Well, thank you, Mr. Chairman.

Thank you all. I want to echo what the chairman said about families. I know it is difficult. I lived about 3 years of my life in southern Africa before any meaningful Internet. I think it is a little easier today, but my guess is—Ms. Sullivan, your family's experience in Accra, when was that?

Ms. SULLIVAN. We were there from 1997 to 2001, sir.

Senator FLAKE. A little more difficult then than it would be now, I assume, with communications and Skype and everything else with the extended family. It does make it easier, but it is still difficult. So I appreciate the sacrifice that you make and your families make. I am glad that they are here, and the extended family and friends as well. It speaks well for all of you to have such good support.

With regard to—let us talk about the Gulf of Guinea, Mr. Entwistle and Ms. Sullivan. Is the United States doing enough in terms of maritime security? You mentioned that the port there is certified. Is that something that has to happen every year? Is that an ongoing effort by governments there, regional organizations? Is the AU sufficiently concerned?

I just want to make sure that we do not get to a situation like we did in the Horn of Africa. Is the United States doing enough? I will speak to those who are representing countries that border the Gulf.

Mr. Entwistle.

Ambassador ENTWISTLE. Thank you, Senator. I think we are very involved in this. It has an immediate effect on us because, as we

discussed when I had the privilege of calling on you, we have U.S. oil companies who have offshore platforms. So this is not just a theoretical issue. It is a very real issue for American companies who operate in Nigeria.

We are working with the appropriate Nigerian security forces to improve their offshore response. We have a good bit of success with that, but there is a lot more to do, not just offshore in Nigeria, but throughout the Gulf of Guinea. But my understanding is we are making good progress.

Senator FLAKE. Ms. Sullivan.

Ms. SULLIVAN. We have a very—compared to the size of the mission in Brazzaville—we have a fairly robust engagement with AFRICOM, and regular ship visits, joint exercises with the Congolese navy. I think that the regular visits by the Coast Guard to recertify—I am not quite sure of the exact frequency that that occurs, but I can certainly take that question back and give you a proper answer.

[Ms. Sullivan's written answer to Senator Flake's question follows:]

Thank you for allowing me to add to the comments I made about Congo's contribution to maritime security in the Gulf of Guinea at my July 24 confirmation hearing. The U.S. Maritime Transportation Security Act of 2002 mandates that the U.S. Coast Guard (USCG) evaluate the effectiveness of antiterrorism measures in foreign ports when ships from those ports dock in the United States. In October 2011, the USCG determined Congo was maintaining effective antiterrorism measures in its ports and was in compliance with the International Ship and Port Facility Security (ISPS) Code. U.S. legislation, the Maritime Transportation Security Act, requires the Coast Guard to visit all countries that trade with the United States on a biennial basis to assess their compliance with the International Maritime Organization's ISPS Code. Concerns about Congolese capacity to maintain a high standard for port security led to follow up visits to the Republic of the Congo.

These visits determined that the Congo was maintaining effective antiterrorism measures in its deepwater ports and was in compliance with the International Ship and Port Security (ISPS) Code. As part of its compliance with the ISPS Code, the Congo is now required to undergo a biennial Country Assessment (CA) of its port security. Previously it was required to undergo an annual CA.

The assessment is only one piece of Coast Guard assistance and engagement with the Republic of the Congo. The improvements Congo-Brazzaville has made to its ports are part of a larger strategy to integrate Congolese maritime operations, to enhance economic development and competitiveness, to improve its ability to control its territorial waters, and to combat piracy along with other countries around the Gulf of Guinea. Congo is an effective regional partner in regard to port security. The Republic of the Congo hosted, with U.S. support, a Regional Port Security Workshop in Pointe Noire that was attended by officials from Gabon, Cameroon, the Democratic Republic of the Congo and Benin. Earlier this year, the Republic of the Congo also stood up a maritime operations center in Pointe-Noire. The center is staffed by personnel from countries along the West African Coast under the auspices of the Economic Community of Central African States.

In addition, military-to-military cooperation remains an important point of engagement with the Congolese Government. The Republic of the Congo is active in the Africa Partnership Station (APS), the international maritime security cooperation program led by the U.S. Naval Forces Africa that provides intensive training through multinational joint exercises and hands-on practical courses. Just this year, a Congolese littoral interdiction vessel successfully participated in U.S. Africa Command's exercise that brought allied navies together to train regional forces in coordinating counterpiracy efforts.

The Republic of the Congo remains proactive and attentive to U.S. engagement in all areas of security cooperation. If confirmed, I look forward to working in partnership with the Government of the Republic of the Congo on maritime security issues.

Senator FLAKE. Mr. Brigety, is there a role for the AU in this regard?

Mr. BRIGETY. Senator, thank you for the question. Indeed there is. As you well know, maritime security is a major issue for the continent, not only for the security aspects, but also for the impact on commercial activity.

With regard to the Gulf of Aden and the Red Sea, as you well know, through a robust international effort in which the United States participated we have essentially reduced that piracy level almost to be negligible. Yet, even as that has happened, the rate of piracy in the Gulf of Guinea has increased. There have been talks between the AU and a variety of other partners, principally NATO and others, to see what more can be done in order to enhance maritime security in the Gulf of Guinea.

I should also say that on the staff of the U.S. mission to the AU is a Navy captain, O6, whose sole job is to advise on maritime security both to the Ambassador and also to the AU. So this will continue to be a great focus of mine if I am confirmed.

Senator FLAKE. Thank you.

Mr. Gaspard, with the Zimbabwe elections coming up, I think South Africa has played a more useful role this time in the leadup to the elections in statements that have been made by the South African Government. What can we do in terms of the mission in the outcome—you will get there after the Zimbabwean elections have happened—to ensure that we can help as much as possible aid that transition to democracy? All of us know that those countries in the region, particularly South Africa, will have the biggest impact on where we go in Zimbabwe. What can we do and how can we help South Africa help Zimbabwe in this regard?

Mr. BRIGETY. Thank you for your question, Senator. As Ambassador Linda Thomas-Greenfield rightly pointed out earlier, we need to make certain that we are doing all that we can to increase capacity between election cycles and to be mindful of transparency issues and democratic capacity issues when elections are not being litigated.

You are right, Senator, South Africa has played a helpful and useful role of late. Of course, we should all be encouraged by the March referendum in Zimbabwe, which was relatively peaceful and enabled the people of Zimbabwe to go to the polls to vote for term limits and other electoral reforms. Should there be challenges in this upcoming election, I am certain that our Ambassador in Zimbabwe, working with forces there in-country and then partnering, of course, with us in South Africa, will do all we can to elevate any crisis that arise from that outcome and will make absolutely certain that in our conversations with the South African Government we continue to put particular emphasis on rule of law issues in Zimbabwe.

I should note that South Africa has its own economic and political interests in a successful outcome in Zimbabwe. We all of course are aware of some of the turbulence that has taken place along the border with the recent refugee crisis in South Africa. So it is incumbent upon the South African Government to be particularly mindful of outcomes in Zimbabwe.

Senator FLAKE. Thank you.

Ms. Haslach, with regard to—you mentioned our interest in helping the government there increase the political space that is of-

ferred, that people operate under in Ethiopia. How is the United States viewed when we offer advice in that regard? Is it positively or negatively, and if it is negatively what can we do to change that? How are we viewed?

Ambassador HASLACH. Senator, thank you for your question. I think we have a strong relationship with Ethiopia. Coming back to the question that was asked earlier of Ambassador Linda Thomas-Greenfield with regard to China, the example that America sets of our steadfast commitment to the advancement and the protection of human rights, democratic principles around the world, we think that this actually provides hope for the Ethiopian people.

I will certainly raise any issues we have with concern to human rights and governance regularly if confirmed, like Ambassador Booth is currently doing. We were very happy to see that they had a historic peaceful and constitutional transition with the last turnover of power after the death of Prime Minister Meles. We will continue to use our private conversations as well as make public statements when we feel it is necessary to speak out in support of our principles.

We will also use formal mechanisms. We have a bilateral formal working group on democracy and governance issues. And we will use our U.S. assistance programs. Our USAID has a two-pronged approach. One is trying to bring some of these principles into our health, education, and business assistance programs, as well as looking for opportunities with civil society and communities on the ground.

So it will be a multipronged approach, and I expect sometimes the Government of Ethiopia may not be pleased with some of the statements and things that we say. We do not always agree, but we talk to each other. We have a good dialogue. We have a strong relationship.

Thank you.

Senator FLAKE. Thank you. I thank you all, and I appreciate you coming by my office and I enjoyed the private conversation and look forward to working with each of you in your new capacity.

Thank you.

Senator COONS. Thank you, Senator Flake, and thank you for your investment of time and your thoroughness in preparing for this hearing today.

Senator Kaine.

Senator Kaine. Thank you, Mr. Chair and members of the committee.

I will begin also with my congratulations to you for your nominations and thank you for your service. I had an opportunity recently to return from a congressional delegation visit to the Middle East and Afghanistan, where I interacted with a lot of our ambassadorial State Department, USAID employees. I am just struck again and again by the challenges of the work, but even the challenges just of physically moving so often, at cost to family. I know there are up sides. I know there are wonderful experiences as well.

But as somebody who has been in public life for 20 years and always lived within a 2½ mile radius of other locations where I have lived, I really honor the incredible sacrifice that the family members make.

I want to offer a special congratulations to my friend, Patrick Gaspard, somebody I really admire greatly. I am very excited to see you on this distinguished panel.

I am not on the Africa Subcommittee of the Foreign Relations Committee; I do not have the expertise that Chris and Jeff have. But I have a passion for your work in a slightly different way. I think it has been an American tradition to have a foreign policy that moves along an east-west axis. We had a foreign policy that was largely focused on Europe. That was then changed to a foreign policy—and even when we were engaged in Africa or, for example, in Latin America, the Monroe Doctrine, it was largely a European foreign policy, with the Southern Hemisphere nations sort of being an afterthought or a theater of operations when the intellectual concern was really Europe.

We then moved to a foreign policy in the aftermath of World War II that was largely focused on the Soviet Union, and again in Africa and Latin America we were engaged, but those engagements were essentially side consequences of a focus on an east-west foreign policy.

We have announced a pivot to Asia that I think is largely a focus on China, again an east-west focus. It is very important that we focus east-west, whether it is the Middle East or China or Europe, but I just have a feeling that the world is going in such a way that America needs a foreign policy that is every bit as much about north-south as it is about east-west.

I am passionate about the Americas, but your work in Africa will involve that same passion of creating a foreign policy in tandem with our President, Secretary of State, Congress that is not about Southern Hemisphere countries as afterthoughts or attachments to an east-west foreign policy, but really respects them for what they are, who they are, and especially what they might be.

So I will just start with that observation and stop. If any of you might have comments on that, I would love to hear it. But I do think we are entering a new phase of our history where having a foreign policy that has a north-south axis would be the right thing for us to do. As people who have devoted a lot of your time to countries on a north-south axis, I would love to hear any comments you might have about that.

Ambassador ENTWISTLE. Well, Senator Kaine, thank you. What I find works well where I have the honor of serving now in the Congo and everywhere else I have served, and I think it will be the case in Nigeria as well if confirmed, is that what works very well is just talking about our own experience, our own history, talking about what has gone well for us, what has not gone well, to acknowledge that our own experience of nation-building has been difficult and taken a long time. I find in particular that is something that Africans relate to.

As I get ready for Nigeria, I am struck by the similarities in our history. Both of our nations, as you know, had devastating civil wars. We are both coping with how do you deal with extremist groups that threaten us, but in a way that promotes the rule of law and human rights. We are both looking at how do you extract energy, but in a way that respects the people who live in those regions and the environment.

So I think if we tell our own story, allow Africans to draw the lessons that they wish to from our experience, I think that is an incredibly beneficial approach and I think it generally works very well.

Mr. BRIGETY. Senator, thank you for your comment. If I may add to Ambassador Entwistle's intervention, we have signed a historic agreement with the African Union on February 1 of this year. A memorandum of understanding was signed with the current chairperson of the African Union, Dr. Dlamini Zuma, and former Secretary of State Hillary Clinton on February 1, elevating the nature of our partnership to that of a strategic partnership with the African Union that will focus on the four broad areas that I articulated in my testimony.

The signature of that memorandum of understanding suggests that we understand as a country the strategic importance of Africa, the strategic importance of the African Union, and that we want to be equal partners in building a continent that is peaceful and prosperous, not only because it is the right thing to do, but also because it is in our interests.

I should also say that there are a number of enormous indicators that I think our public needs to be aware of. Six of the ten fastest growing economies in the world are in Africa. Some 60 percent of the population of the continent is under the age of 30. In many ways it really is the continent of the future, and I think that we are hopeful that a variety of interventions that our government is making will position us well to have a very strong partnership with the continent in the decades to come.

Senator KAINE. Ms. Haslach.

Ambassador HASLACH. Senator Kaine, thank you very much. When I first started working for the Federal Government, I worked on Ethiopia. It was in the mid-eighties during a very bad sub-Saharan drought. I was amazed when I went back when I was working on the Feed the Future Initiative how much progress had been made in the area of agriculture. A lot of that is due to our assistance and our providing help in that area.

We share the same goals that Ethiopia has with regard to development and investment. In fact, in their 5-year development plan, they hope to meet all of the Millennium Challenge goals. They hope to become a middle-income country. I think that is where we really should be focusing a lot of our efforts and energy, and that is an area where I think we can share a lot of our experiences in helping them to open up their economy in so many ways for the prosperity of both Ethiopia as well as Africa as well as the United States.

Thank you.

Senator KAINE. Mr. Gaspard.

Mr. GASPARD. Senator Kaine, if I can, first thank you for your incredibly generous comments at the top, and thank you so much for your continued friendship and your phenomenal leadership.

I think it is incredible actually, Senator, when you consider the arc of very recent history. I can remember not long ago being in Soweto right after President Mandela had been released and observing all of the incredible disparities that existed then and the enormous challenges as South Africans struggled to really have some agency and ownership over their own direction and over their

own democracy. Now today we are having conversations about the ways in which we need to work with our partners in South Africa to overcome some of the disadvantages that American businesses have in trading with South Africa because of their trade partnership with Europe.

So it is incredible to come from a place where people were incredibly disempowered to now being in negotiations with them about increasing access to our markets. So it is an incredible period of transformation. There are remarkable opportunities that yet exist and some enormous challenges.

Earlier, Ambassador Thomas-Greenfield noted that it is terribly important that as we continue to do things to encourage trade with Africa that we still continue to appreciate the need for increasing humanitarian capacity. It is exciting that right now the United States military forces are engaged in a humanitarian exercise with the South African military in the eastern Cape right now today to expand South Africa's capacity to help in neighboring states.

So great opportunities exist, and you are absolutely right about the sweep of history and where we are today.

Senator KAINE. Ms. Sullivan—with your permission, Mr. Chair.

Senator COONS. Of course.

Senator KAINE. Thank you.

Ms. SULLIVAN. If I may, Senator Kaine, thank you for your interest in the relationship between the United States and Africa. I agree with the statements of my colleagues. Also, coming from a perspective of a former Peace Corps Volunteer, I think we can build on the historical and cultural links that have traditionally existed at this moment of confluence with the potential and economic interests that we share with Africa.

I would just like to emphasize that we do have tools at our disposal for enhancing mutual understanding, and exchanges that exist in both the government sector and the private sector really go a long way toward promoting dialogue and partnership and helping establish those links and further deepen our broad relationships with our partners in Africa.

Senator KAINE. Great, thank you.

Thank you, Mr. Chair.

Senator COONS. Thank you, Senator Kaine.

Let me, if I could, follow up on something that your exchange with Mr. Gaspard just sort of highlights. You mentioned the eastern Cape exercises today. I have met with Chairperson Dlamini Zuma of the AU. There is a commitment by the AU to create an African Standby Force by 2015. There is deployed today for the first time in the eastern DRC a U.N. mission that has an active mandate—it has been authorized to take proactive military initiative in a way that was lacking previously and that largely led to some of the M23 actions in Goma.

There are, I think, enormous opportunities for us to work to build regional structures, both through the AU and through SADC, the East African Community, ECOWAS and others. And we have seen some success in Somalia, in Cote d'Ivoire, in DRC, in regional engagement by African nations.

How does the United States do a stronger, a better, a more sustained job of partnering with the AU and of partnering with coun-

tries like South Africa, countries like Nigeria, countries like Ethiopia, where we have been supporting training, deployment, resources, in support of peace, security, and stability in Somalia, in DRC, in Mali, and in other places? I think this is literally a question for every member of the panel, please, because I believe Congo Brazzaville is also contributing peacekeeping forces for the first time.

Peacekeeping on the continent, by the continent, led by entities of the continent strikes me as far more desirable than the model that has dominated over recent decades. In the Mali conflict, a timely intervention by the former colonial power may have been necessary, but I hope it is the last time that such an intervention is necessary. And I am hopeful that the African Union will, in fact, stand up an African Standby Force, that South Africa will play a central contributing role, and that Nigeria will be able to continue to play a central role in peacekeeping.

I would be interested in each of you in turn just commenting on how you think the United States can most appropriately support the fielding of an African Standby Force or other regional entity.

Mr. BRIGETY. Senator, thank you for your question. Perhaps I can start by answering from the perspective of the AU. As you correctly noted, the African Standby Force is one of the central pillars of the African peace and security architecture. There are challenges with fielding it. There are two principal challenges as I see it. The first is financial and the second largely has to do with the politics of regional integration on the continent.

The good news with regard to the financial aspect is I think that for the first time ever in its history the African Union actually assessed its own members to help pay for AFISMA, the African Union-led intervention force in Mali, to the tune of some \$50 million, which is significant in terms of demonstrating responsibility of African solutions or at least contributing to it for African peace and security.

Obviously, there will have to be other mechanisms to help pay for this kind of robust, sustained security environment over time. But the African Union understands that and I look forward to working with them in that regard.

Frankly, in my view the issue of regional integration as it relates to peace and security is a much more challenging problem. As you well know, there are essentially five regional standby brigades that are loosely aligned—that are directly aligned to the five regions of Africa, but that are loosely aligned in the various regional economic communities.

This is a problem that, frankly, is for the AU and for Africans to solve. We have something of a role to play both in terms of how we just engage and talk with our partners at the AU. As you also know, the current incumbent, our current Ambassador to the AU, is also duly accredited to the U.N. Economic Commission of Africa, which has as part of its mandate supporting regional integration in Africa. If I am confirmed, I anticipate that Secretary Kerry will also credit me to the UNECA, and that I will be working very closely with UNECA to help support broadly this issue of regional integration, which not only has implications, frankly, for security,

but also for all the other economic issues that we have been talking about.

We have had successes in terms of our bilateral assistance in supporting peacekeeping operations through the ACOTA program, a program which I help supervise in my current capacity as the Deputy Assistant Secretary. But clearly the vision, as you correctly noted, that we have and that indeed Africans have for themselves is to increasingly take responsibility for their own security, and we are looking forward to helping them do that.

Thank you, Senator.

Senator COONS. Ambassador Entwistle, as you take that up I am interested in ACOTA and human rights training in particular in the context of peacekeeping. Clearly, our training in Mali perhaps failed to fully reinforce the idea of respect for civilian control of military forces. But we are not responsible for everything that happens everywhere in the world.

Ambassador.

Ambassador ENTWISTLE. I agree completely with Ambassador Brigety's comments. I think to me we need to help this process happen, and the way we do that is through training. I think one of the things that we as Americans can be very proud of is the quality of military training we provide. I think we need to do that to help build up African capabilities to handle their own security crises.

In particular, I am thinking of what we call professional military education, leadership training that involves training on rule of law and leadership and respect for human rights when dealing with civilians in conflict situations. I think within the embrace of our Leahy vetting requirements we need to push it and do as much as we can to help the Africans do better. I believe in that very sincerely.

As I noted in my testimony, the Nigerians have a proud history of working through ECOWAS on various crises in West Africa. They are deployed around the world in other peacekeeping operations. I think to the extent that the situation at home permits them to do that we need to encourage them to keep up that proud history.

Senator COONS. I agree.

Ms. Haslach, Ethiopia has played a central role in bringing stability to Somalia. Yet there remain some real challenges, both internal to Ethiopia and in its region. How do you think we can work in support of Ethiopia and the AU while still respecting human rights?

Ambassador HASLACH. Senator, thank you very much, and thank you for noting Ethiopia's role. They currently deploy troops alongside the Somali National Army and the African Union mission in Somalia, and they contribute nearly all of the troops that currently serve as the U.N. Interim Stabilization Force in Abiye and they were also involved in Darfur.

I echo what my colleague James Entwistle was saying with regard to the positive impacts of our professional training and would urge that we continue to fund those types of training. Ethiopia has well-respected military troops and they have actually contributed quite positively in these engagements. So I think continuing to rec-

ognize the positive role that our professional training, training in the areas of human rights, very critical for our peacekeeping forces, that they be trained in that, and that we continue to provide our support to that, and of course working our support to the African Union as it attempts to set up its own peacekeeping force.

Senator COONS. Ethiopia has been particularly constructive in the Sudan-South Sudan conflict.

Ambassador HASLACH. Yes.

Senator COONS. And regionally, our hope is to continue to support them.

Ambassador HASLACH. Thank you.

Senator COONS. Ms. Sullivan, what makes it possible for the Republic of Congo to contribute to peacekeeping forces and what more could we do in the region to help integrate them into a regional security structure?

Ms. SULLIVAN. Thank you, Senator, for your interest. I would note that Congo has a relatively modest-sized military. I do not expect that they will be enormous contributors in the future. But I think that there is a growing interest and will toward contributing positively to the regional security situation.

There is always the threat of refugee inflows on one side of the border or another. I will note that as political chief in Accra, Ghana, we did a lot of military training, and what I really appreciated about the U.S. training at the time for peacekeepers across the continent was the doctrine that we were trying to harmonize for different countries so that they were not all developing their own ways of doing things and then when put all together, kind of like an all-star soccer team brought in for the championship, doing things different ways and not playing on the same page.

We also trained and equipped for interoperability as well. We all know the down side of radios with frequencies that are incompatible. So some of these fundamental things are areas I think that we can from a broad regional perspective contribute, as well as working with some of our other like-minded partners who are also working in the professional development and capacity-building.

Senator COONS. I agree, Ms. Sullivan. In my last visit, my visit to Bamako in Mali, I met with a variety of the international military leaders, Nigerian, Indian, and others, and was struck by the challenge they faced in assembling the AFISMA force from seven different nations of different languages, different military traditions, different skill sets.

Mr. GASPARD, I am most optimistic about the United States-South Africa relationship. South Africa really can, and should be, a significant leader on the continent in terms of peace and security, stability, democracy. Yet there remain tensions in our relationship that I trace back to our being, some of America, being on the wrong side of the liberation struggle. I am very optimistic that your personal experience and your commitment to strengthening this relationship can help move it, accelerate its steady movement forward.

How do you view the task of strengthening United States-South Africa ties and its possibility for taking a real leadership role in the AU?

Mr. GASPARD. Senator, thank you for the question and for your insights on this issue. You are right that we should be encouraged

by South Africa's ability to play an incredibly helpful role in this regard. But we should note that there are some capacity challenges that exist in the country. While South Africa may have one of the largest and best prepared militaries on the continent, of late there has been some shrinkage because the country has rightly needed to focus resources on education, health care, and other infrastructure issues.

We should also note that the South African military was certainly impacted by the high rates of HIV infection in its ranks. That being said, they continue to be an important partner on counterterrorism cooperation in the continent and they have been a true leader in encouraging nonproliferation and we should all be encouraged by the exercises that I noted today in the eastern Cape working alongside the U.S. Government.

I should also note, just to echo some of what some of my fellow nominees have said on the question of technical support, in addition to the direct technical support we have extended to the South African military, our technical support to the South African policing forces is also essential in giving South Africa the capacity to extend its reach throughout the continent.

Regrettably, the South African military has had to really be flexible in its mission because of a lack of capacity with internal policing. That is improving, with our help. I am looking forward to working with our regional security officer in South Africa and of course with AFRICOM on these issues.

Senator COONS. Thank you. I think this is an area of broad and sustained interest by members of this committee and by the leaders both within AFRICOM and within State and USAID, and I look forward to working with all of you on this in the months and years ahead.

Senator Flake.

Senator FLAKE. I am good.

Senator COONS. Senator Kaine.

Senator Kaine. Just very briefly, on South Africa, Mr. Gaspard, you mentioned nonproliferation. One of the areas where I think South Africa can play a wonderful leadership role and would encourage you to work on this in tandem with our own interests is in the nonproliferation area. I think it is the case that there have only been three nations who have gone down the path toward developing nuclear weapons and then decided, you know what, we do not need nuclear weapons to have the right kind of future for our nation—Libya, South Africa, and Brazil. At least those are the ones that are publicly known. There might have been others who made those decisions privately.

But I think that decision—we were moving toward a nuclear weapons future, but then we realized for the good of our Nation we could accomplish the right objectives without nuclear weapons—in a world where we are really wrestling here with Iran and with North Korea and potentially others, I think there is a wonderful leadership opportunity for South Africa to play in that message. So since you mentioned nonproliferation, I just thought I would underline that and put an exclamation point on it.

The second thing I would like to say, and again just sort of a general question to all of you, is—and many of you touched on the

evolution of thinking about international development from an aid perspective to promotion of trade. I think it was President Nixon who took out of USAID the Overseas Private Investment Corporation. At the time, maybe in the 1960s, aid was what do we grant, what do we give. There was a realization that, well, maybe we can through entrepreneurship and the involvement of the private sector promote development and trade as well. OPIC was split out of USAID, and that was a prescient move because it seems like that is the way most international development has gone. Within a generation we have gone from international development being sort of 80-percent governmental moneys industry 20-percent companies or NGOs to the reverse. It is about 80-percent companies and NGO now.

I would just like to have each of your sort of perspectives. Some of you have addressed it briefly, but your perspectives in your own role about international development, broadly defined, and how you would hope to bring the partnerships of today's international development to bear in the missions that you will pursue.

Mr. BRIGETY. Senator, thank you very much for your question. I will begin if I may. I am convinced that the next historical phase in Africa's development is private sector-led economic growth. We in the United States have the most dynamic private sector in the world. The challenge, frankly, is getting them to show up in Africa.

OPIC plays clearly a role in that. I can tell you, every time I go to the continent I am surprised by how eager African business leaders, African political leaders are for American companies to show up. If I am confirmed, I will work very closely with my colleagues in the Department of Commerce, in OPIC, USTR, USTDA, et cetera, to try to see what more we can do to use U.S.-AU as a platform to encourage American businesses to show up and to engage in this important epic of Africa's growth.

Senator KAINE. Great. Thank you.

Ambassador ENTWISTLE. Senator, I feel that in our development activities these are things we can be incredibly proud of, like PEPFAR and things like that.

Senator KAINE. Absolutely.

Ambassador ENTWISTLE. But I feel very strongly that everything we do, every development activity, has to have a component of building up the host country's ability to do it themselves. For example, a health project should contain a component of building up the health ministry and the health infrastructure.

So in my current job and if confirmed in Nigeria that is going to be an issue for me, is looking at everything we are doing and asking the tough questions to find out, to be blunt, are we working ourselves out of a job, as we should be, quite frankly? So thank you.

Ambassador HASLACH. I agree with both of my colleagues, but I would just also add, Senator, I view this sort of as a multiplier effect, where we plant the seed with Feed the Future and then there is a private sector component that comes in behind that and really has the resources and works locally with local companies to really make this sustainable.

I think the same will go with our new initiative Power Africa, where we sort of hope to light the fire there a little bit. But really

the focus on Power Africa is on the private sector and using the tools, OPIC, EXIM, TDA, the ones that were mentioned prior to that. So I see—there is plenty of room out there for everybody. But the government, our role is sort of promoting this, and then the private sector joining us as partners. I think it works really well and partners with local business and local communities.

Senator KAINE. Ms. Sullivan.

Ms. SULLIVAN. I would add that the prospect of U.S. investment is a real incentive for improving the local business climate, because the private sector companies are going to vote with their feet, and if there is opportunity and a level playing field and money to be made that will help everyone American companies will come. If not, the opposite would happen.

Senator KAINE. Mr. Gaspard.

Mr. GASPARD. Senator, I would just add that we should appreciate that there is mutual benefit in encouraging this kind of investment. Senator Corker in many instances has rightly pointed out that we need to find ways in which we can grow American jobs by investing in increased entrepreneurship and trade with Africa. Very recently Eximbank moved significant resources to a company that is building a railroad in South Africa, and fortunately for us workers in States like Indiana and Michigan have benefited in that one instance. So we need to encourage more activity along those lines and recognize our common interest in those outcomes.

Senator KAINE. Great. Thank you very much.

Thank you, Mr. Chairman.

Senator COONS. Thank you.

If I might just follow up on my previous line of conversation with several of you. There is a longstanding partnership program between the U.S. National Guard of specific States and specific countries. I do find in some countries that it has allowed for a long-term training relationship that has been effective with a number of countries. It is something I have advocated for us to broaden and strengthen within the National Guard Bureau in the countries where I have visited. I have also had an opportunity to talk to the State adjutant.

One of the differences of having a long-term National Guard to national military relationship is that, unlike other commands, they do not rotate every 2 years. You can build a long-term relationship with a homestate National Guard that actually is sustained over a decade or more. And the National Guard typically directly understands the civilian military role and is often involved in things like disaster recovery, youth training, and housing issues, that regular armed forces are not. So just a small point on that.

If I might, Ms. Haslach, just to follow up on the questions about Ethiopia and development: Feed the Future strikes me as an initiative of enormous potential and breadth. I was encouraged to hear that on your return to Ethiopia you were struck at just how much progress had been made in terms of resiliency, in terms of the strength of the smallholder farmers across Ethiopia.

What else do you think we can be doing to help strengthen the role of the private sector and to help strengthen the partnership that will sustain this initiative and really bring to an end the cycles of famine in the Horn?

Ambassador HASLACH. I think there are two areas that I was involved with. One has been working with them on improving the quality of the seeds. Again, that is where our private sector is very, very active. I am really pleased that they are also not following the path of some countries by prohibiting certain types of seeds to be used. Again, that is one area.

The other is in the area of moving beyond just growing the food. It is processing the food, working with the private sector in the next stage of processing and improving the market, the farm to market access, as well as improving regional trade between Ethiopia and its countries. That is an area that I think we can give a little bit more focus and attention to.

Thank you.

Senator COONS. Thank you for that followup.

If I might, Ms. Sullivan, I just have one other question if I could about Congo. The President has been a somewhat autocratic ruler, but the country is relatively stable, and it has been a constructive player in what has otherwise been a fairly volatile region. Under the constitution, if I understand correctly, he is not eligible to run for reelection in 2016. But we have seen in other countries across the continent—Senegal might come to mind—a challenge where there is an effort to amend the constitution to allow another term or to sort of steer succession.

How do you think you will promote the twin goals of democracy and stability in this particularly challenging environment?

Ms. SULLIVAN. Senator, you have raised one of the key issues that, if confirmed, I will certainly focus on. I think that it is not only the external perspectives, but clearly the internal perspectives. We have talked about country ownership as it relates to development. The same is true for democratization.

So one of the things that the Embassy has been doing and I will continue to work on if confirmed is building up the capacity of the civil society organizations that are focused on issues of accountability to the people and transparency in government operations.

I think that the Congo has a really great opportunity in 2016 to show and start establishing a legacy of smooth transitions. It is only really come out of the civil war in the last decade or so and ever since independence in 1960 had a bit of a turbulent past. I think people are interested in stability. I think we can continue to work with all of our partners within the government and the private sector and our like-minded colleagues in the diplomatic corps as well to help the Congolese realize what an opportunity they have in 2016 to start that tradition of a smooth democratic transition.

Thank you.

Senator COONS. Thank you, Ms. Sullivan. I suspect, as Ambassador Entwistle testified, one of our broader challenges is being engaged in elections up to and then following on the day of election. One of the challenges I know the Assistant Secretary and I will work on is the relative scale of resources for democracy and governance, which is a very small portion of our total budget.

We are facing other critical issues. One of them, Mr. Gaspard, as you well know, is the historic investment by the United States through PEPFAR in dealing with what is one of the greatest global

pandemics. We have really turned a corner in terms of our relationship with South Africa and country ownership for funding and sustainment of PEPFAR. But in a very vigorous series of discussions I had in South Africa both in Soweto and in Cape Town with legislators, with advocates, with providers, and with the Health Minister, the trajectory of the United States-South African partnership and PEPFAR will require I think your close attention and will demand some active engagement.

How do you see the path forward? How will we ensure successful transition in terms of full ownership of PEPFAR from the United States to South Africa, and how do we persuade the South Africans that we are not abandoning this core commitment of the United States? That we intend to remain a strategic partner in the fight against HIV-AIDS.

Mr. GASPARD. Senator, thank you for this question about a core pillar of the South Africa mission going forward. We should be encouraged by the progress that has been made in South Africa on the question of country ownership of the PEPFAR program. We are well on track to be able to meet the goals, the ambitious goals that were laid out for our 2017 drawdown and for South Africa's increased investment in this realm.

There continue to be, of course, some very, very real challenges, particularly as it relates to deficits in personnel in South Africa. There are some real shortages of social workers, front-line nurses who can administer these programs, and there is a need for more technicians as we transfer support from NGOs directly into the government health sector. In some of the most remote regions of the country, there are still some challenges in getting antiretroviral medications to those who are in need.

So real progress has been made, but there is a real challenge before us that I know that we will be able to meet.

I should also note that when you consider that 60 percent of new infections in the country are focused on women and girls, there is something that we need to do in particular to make certain that women are receiving not only the aid that they need, but that they are playing a vital leadership role in this transition because they are most impacted by the outcomes.

Senator COONS. There are, as you well know, Mr. Gaspard, there are enormous challenges and opportunities here. I am particularly excited about the skills and strengths you bring from your 1199 union years to understanding the delivery of health care and the development of a whole new cadre of health care workers.

There is also across the continent, but in particular in this context, real challenges of gender-based violence as a mechanism of transmission and real challenges in terms of cultural sensitivity and our investment in delivering the kind of rule of law and accountability systems that allow for respect and protection of women that I think are a critical next step in the work against HIV-AIDS in South Africa. And I am eager to work with you and support you in any way I can because these are quite difficult conversations, but ones that must be had, investments that we need to make.

A last question for you, if I might, Mr. Gaspard. In my last trip to South Africa, every conversation with a South African official began and ended with AGOA. It was the one thing they wanted to

know that we would work steadfastly toward. Senator Isakson, who is now in the Finance Committee, is passionate and determined to help this happen. Congresswoman Karen Bass has been quite engaged in it.

But as we visited several facilities in South Africa, the sort of core question was, has South Africa outgrown AGOA? The luxury car market—South Africa takes better and broader use of AGOA than any other country. My hope would be that we would seriously consider its scope and whether there are ways that it can be tweaked or retooled so that it will be as effective as possible in opening and sustaining a very real and enduring relationship.

Most of AGOA has really had an impact just in textiles and apparel. In South Africa it is everything from steel to citrus to wine to luxury automobiles, and it is literally billions of dollars a year in trade into the United States market, which I think is tremendous.

SASOL also recently made a direct investment in Louisiana in the United States, and I think we are at a critical moment, as you observed—I had great conversations with the Minister of Trade about this—that we can really talk about a mutual relationship.

How do you think AGOA ought to be rebalanced or reconsidered in light of South Africa's growth and progress and in light of the opportunities across the continent and in all the other countries to which there are nominees sitting with you today?

Mr. GASPARD. Senator, thank you for the question. My conversations with you about this issue and conversations with Congresswoman Karen Bass have done much to inform my thinking on AGOA. I think, as you rightly noted, there are many questions about whether or not South Africa should continue to benefit from this program. I think it is important for all of us to appreciate that South Africa continues to be really two countries, two dichotomous countries. We have got one South Africa that of course is an important leader, not only in sub-Saharan Africa, but as a member of the BRIC's leads in trade on the continent and is a place that many would like to go to continue to conduct business.

We should also appreciate that South Africa also right now has a formal unemployment number of roughly 25 percent of the population. That number doubles when you consider youth unemployment, and there are many new university graduates in South Africa who are seriously challenged to find opportunities to employ their new skills.

In the decade since AGOA passed, there are roughly 70,000 jobs in South Africa that can be attributed directly to AGOA trade and countless others that have benefited from collateral trade. However, there is just so much more that needs to be done in order to close the income disparities in that country.

I know that in your conversations with the Minister of Trade in South Africa you noted some of the ways in which American companies are currently disadvantaged in trade with South Africa, and I think that as we have the conversation about AGOA renewal it is tremendously important that we make clear that there is a need for those on both sides of the Atlantic to benefit going forward.

Senator COONS. Thank you.

As I have had conversations with United States business leaders who are investing in South Africa, one just last week. I have urged them to take the model of skills transfer, technology transfer, and investment. Not a mercantilist approach to seeking a market but a mutuality approach that begins with here are ways that we will invest in and help grow the future and potential of South Africa.

I have just three more brief observations I will make. Do you have more questions, Senator Kaine?

Senator KAINE. No, thank you.

Senator COONS. First, generally the Millennium Challenge Corporation—I have visited projects and sites across a number of countries—we have not touched on at great length here today, but I have found to be a compelling vehicle for long-term engagement, particularly in countries—you mentioned in Ethiopia—where there is real alignment between development goals and our objectives. I hope that each of you will find a way to work, if appropriate, if relevant, with the MCC as another tool in our toolkit.

When we raised human rights issues, whether it is journalistic freedom or the transition to democracy, we sometimes ruffle feathers. Ambassador Entwistle, as you go to Nigeria I have particular concern for an anti-LGBT bill that has been taken up and considered in the Parliament and that may move to the President. I am hopeful that you will be mindful of a strong commitment to human rights on the part of the United States and in particular to respect for people of all sexual orientations.

I had a particularly compelling recent visit with a Zimbabwean woman who has sought asylum in the United States after being horribly tortured in Zimbabwe simply for who she loves. So I think that is an important piece of our human rights agenda in Africa.

Then last, Mr. Gaspard, just a reflection that I think was encouraging. In meeting with South African parliamentarians, I was struck at how many other countries had recently sent delegations to South Africa as a place from which to learn about reconciliation. A team of Iraqis from Iraq's national assembly had just left and were looking to South Africa as a model for how possibly Kurds, Sunnis, and Shia could learn to live together in Iraq.

This is a continent of enormous opportunity and enormous challenges. I am grateful for each of you for your willingness, for your family's willingness, to continue in your careers in public service, and I very much look forward to visiting you in your respective countries in the months and years ahead.

Senator Kaine, any further questions?

Senator KAINE. No, thank you.

Senator COONS. With that, I would like to thank each of the nominees today. I look forward to voting for your confirmation both in the committee and on the floor. It is my hope that we will accomplish this swiftly. I am very conscious of the pressure on families and the beginning of school years and the need to make transitions and so forth.

Any members who were not able to attend today I will ask to submit any questions for the record by the close of business today so that we can conclude this record in a timely fashion and move toward a business meeting next week.

With that, with my appreciation to my colleagues who joined me today, this hearing is hereby adjourned.
 [Whereupon, at 11:11 a.m., the hearing was adjourned.]

ADDITIONAL QUESTIONS AND ANSWERS SUBMITTED FOR THE RECORD

RESPONSE OF HON. LINDA THOMAS-GREENFIELD TO QUESTION SUBMITTED BY
 SENATOR ROBERT MENEDEZ

Question. The President's recent trip to Africa was well-received for the new and expanded initiatives he announced, including the new Power Africa and Trade Africa Initiatives, an expansion of the Young African Leaders Initiative, and the initiation of an annual summit-level meeting among the United States and African countries. These initiatives build on the legacy of prior administrations with the introduction of PEPFAR, AGOA, the MCC, and other initiatives.

- In what ways is Africa strategically important for the United States, and is the level of our engagement sufficient relative to its strategic importance? What can the United States do to improve our engagement with Africa?

Answer. Dramatic changes that have taken place in sub-Saharan Africa over the past decade make the continent ever more important to the United States. Some of the fastest-growing economies in the world are on the continent—a growth that reflects an increasingly vibrant private sector, improved business climate, and expanded opportunities for U.S. trade and job creation. There has also been great progress in governance and democratization, though remaining challenges require our continued engagement. Africa's security is increasingly linked to global and U.S. national security. We and the international community continue to be required to assist Africans in countering terrorism and drug, human, and wildlife trafficking that grows in ungoverned spaces on the continent. By the same token, with our and others' help, African nations have increased their capability to end conflicts and preserve peace in Africa and beyond with their militaries.

As I indicated in my testimony, our engagement in Africa must proactively and comprehensively address these opportunities and challenges. The President's 2012 Presidential Policy Directive and our many initiatives designed to spur economic growth, combined with the African Leaders summit announced during the President's recent trip, certainly reflect a heightened engagement with the continent. If confirmed, I look forward to working with African nations to use these initiatives to strengthen democratic institutions and foster sustained equitable economic growth. Also, if confirmed, I will ensure that the resources of the Bureau of African Affairs are dedicated to an enhanced, holistic engagement with Africa.

RESPONSE OF HON. JAMES F. ENTWISTLE TO QUESTION SUBMITTED BY
 SENATOR ROBERT MENEDEZ

Question. Boko Haram is growing increasingly active with a rising number of attacks against state and civilian targets. Attacks now occur almost daily in north-east Nigeria and have increased in reach and lethality beyond this region. The bombing of the U.N. building in Abuja on August 24, 2011, represented a shift from an exclusively domestic focus to international targets.

- How would you characterize the Nigerian Government's response to Boko Haram? What approach would you take to help address the problem and strengthen America's relationship with Nigeria on security issues?

Answer. As the Secretary of State stated in May, "We are deeply concerned by credible allegations that Nigerian security forces are committing gross human rights violations, which, in turn, only escalate the violence and fuel extremism. The United States condemns Boko Haram's campaign of terror in the strongest terms. We urge Nigeria's security forces to apply disciplined use of force in all operations, protect civilians in any security response, and respect human rights and the rule of law." As part of this effort, it is vital to protect civilian populations and respect Nigeria's human rights obligations; to reestablish public trust with local communities; and to improve the professionalism of the security services.

If confirmed, I will continue to convey our concerns that a heavy-handed approach is counterproductive to addressing the threat posed by Boko Haram, and urge the Nigerian Government to address drivers of conflict, including poverty, food insecurity, disenfranchisement, lack of quality government services, and frustration with

corruption and poor governance. The State Department and USAID will continue to assist these efforts.

RESPONSE OF HON. PATRICIA MARIE HASLACH TO QUESTION SUBMITTED BY
SENATOR ROBERT MENENDEZ

Question. Human Rights groups continue to characterize Ethiopia by its restrictive environment for political opposition groups, media, and civil society. Several pieces of legislation, such as the Anti-Terrorism Proclamation, and the Charities and Societies Proclamation have institutionalized the government's grip on dissenting views. Successive U.S. administrations have committed to advancing human rights and democracy in Ethiopia, yet it's not clear what initiatives are in place to address these.

- How will you deliver the message that an open democratic environment ultimately promotes stability and prosperity, and by extension its partnership with the United States?

Answer. Ethiopia is an important partner in the Horn of Africa and one of the United States priority countries on the continent. Our partnership allows us to raise democracy and human rights concerns frankly and honestly. One of the key ways we express concerns, including on the restrictive environment for political opposition, the media, and nongovernmental organizations, is through a formal bilateral dialogue on democracy, governance, and human right messages. Three such dialogues have occurred since we began the process in 2011. Along with providing an opportunity to discuss concerns, the dialogue allows us to identify constructive opportunities to work toward improving the environment. I will seek to schedule the next dialogue early in my tenure as Ambassador, if confirmed. Though much of our engagement with the government is private, we also publicly demonstrate support for civil society. Our statements in reaction to the verdicts and sentences in Ethiopia's high-profile terrorism cases involving journalists and the political opposition are examples of this. Equally important was our notable presence at the trials. As I did during my previous ambassadorial appointments and if confirmed, I will deliver the tough human rights messages both privately and publicly, because, as Secretary Kerry has stated, "we believe very deeply that where people can exercise their rights and where there is an ability to have a strong democracy, the economy is stronger, the relationship with the government is stronger, people do better."

RESPONSE OF STEPHANIE SANDERS SULLIVAN TO QUESTION SUBMITTED BY
SENATOR ROBERT MENENDEZ

Question. The United States has supported capacity-building initiatives for the Armed Forces of the Republic of Congo for several years. The goal is to professionalize the Congolese military, which in turn contributes troops to regional peacekeeping missions. As we have seen in Mali and the Democratic Republic of Congo, U.S.-trained forces do not always have a healthy respect for civilian oversight, or for human rights of the general population.

- Can you explain the types of U.S. assistance to the Armed Forces of the Republic of Congo, and the regional security interest that serves? How are we ensuring that the troops we train will continue to serve in the interests of the Congolese people?

Answer. Military capacity-building is one of the key points of engagement between the United States and the Republic of the Congo. The U.S. Mission in Brazzaville has a strong engagement with AFRICOM, especially in relation to the Embassy's size. The Republic of the Congo benefits from approximately \$100,000 annually in International Military Education and Training (IMET), which is managed by the U.S. Office of Security Cooperation at the U.S. Embassy in Kinshasa with the assistance of Embassy Brazzaville personnel. A key component of almost all IMET training is the reinforcement of human rights norms and civilian control of the armed forces.

Two other programs that directly impact the Congolese people are the Humanitarian Mine Action (HMA) training as well as the Defense Institute for Medical Operations (DIMO). HMA is designed to train a cadre of Congolese officials how to identify and make safe unexploded ordinance. This training is especially relevant in the wake of the deadly munitions depot explosion that occurred in Brazzaville on March 4, 2012, resulting in hundreds of deaths and the destruction of thousands of homes. With a professional unit of Explosive Ordinance Disposal (EOD) technicians at its disposal, the GOC will be better able to eradicate any unsafe munitions,

as well as better understand how to store munitions and to avoid further injury to the civilian population.

DIMO is an ongoing project that trains Congolese military officials in a wide range of medical related topics, from trauma nursing to disaster response. This training has a direct impact on the citizens of the ROC because the Congolese military routinely provides a variety of medical care to the civilian population. The military hospital in Brazzaville, which is one of two public hospitals in the capital, provides 24-hour emergency care to civilians. Additionally, the GOC periodically erects field hospitals throughout the Congo with the intent of serving the local population. These field hospitals provide free care and medicine to hundreds of civilians a day in the area to which they are deployed.

The Republic of the Congo has a modestly sized military of around 8,000, and is currently contributing 350 troops to the peacekeeping mission in the Central African Republic. The United States sees this deployment as a positive step in the ROC's efforts to bolster regional engagement and stability. The Congo is also playing a major role in regional maritime security in the petroleum-rich region of the Gulf of Guinea. Earlier this year, the Congo established a maritime operations center in Pointe-Noire. The center is staffed by personnel from countries along the West African Coast under the auspices of the Economic Community of Central African States (ECCAS).

In all our military cooperation and assistance activities, we seek to instill higher professional standards in the forces with whom we work, so that there is a stronger commitment to serving civil society and complying with international human rights norms. We also provide joint training and common standards to strengthen interoperability so that forces of varying abilities from different countries are able to function cooperatively.

RESPONSE OF PATRICK HUBERT GASPARD TO QUESTION SUBMITTED BY
SENATOR ROBERT MENEDEZ

Question. After Zimbabwe's disputed 2008 election, former South African President Thabo Mbeki, acting through the Southern Africa Development Community (SADC), was able to secure an agreement between President Robert Mugabe and Prime Minister Morgan Tsvangirai. South Africa subsequently assumed the role of overseeing its implementation.

- How would you characterize South Africa's role in overseeing the Global Political Agreement in Zimbabwe, particularly under the stewardship of President Zuma?

Answer. President Zuma has played a critical role in pursuing political reform in Zimbabwe. He and the Southern African Development Community (SADC) want Zimbabwe's elections to go well. South Africa's goal has been a stable, peaceful, democratic Zimbabwe that reflects the will of its people and provides for a prosperous future. South African mediation helped pull Zimbabwe back from the brink of political and economic collapse and was instrumental in establishing a government of national unity. It also helped sustain the long and difficult process of developing Zimbabwe's new constitution.

South Africa has taken its facilitation role seriously, applying steady pressure on all parties to implement the roadmap in the face of political setbacks and protracted delays. While there has been real progress in Zimbabwe, such as the recent adoption of a new constitution, there is wide concern that few of the agreed-upon media, security sector and electoral reforms have been fully implemented. We are especially concerned that the rush to an election on July 31 may not have provided sufficient time for voter education and registration and review of voters' rolls, putting the credibility of the outcome at risk.

The large team of election observers fielded by SADC will play a critical role in verifying the credibility of the upcoming election and its conformance with internationally accepted electoral standards. Given the exclusion of most other international election observers, the presence of SADC and African Union observers is doubly important to deter political intimidation, vote rigging and violence, which would undermine the credibility of the election and 5 years of work by South Africa and SADC.

RESPONSE OF DR. REUBEN EARL BRIGETY II TO QUESTION SUBMITTED BY
SENATOR ROBERT MENENDEZ

Question. In May, the African Union marked 50 years since the founding of its predecessor, the Organization of African Unity (OAU). How operationally effective are the main institutions of the AU, in particular the AU Commission and the Peace and Security Council? What main institutional challenges does the AU face, and in what ways could the United States more effectively help the AU build its capacity, particularly in partnership with other donors?

Answer. The AU's ability to positively shape the African continent has developed dramatically in the past decade, as evidenced by such initiatives as the African Union Mission in Somalia (AMISOM) and the AU High-level Implementation Panel's mediation of conflict between Sudan and South Sudan. However, significant capacity challenges still exist: the AU sometimes encounters funding shortfalls, and it does not yet have the capacity to absorb all of the funding it does receive due to understaffing.

African Union Commission (AUC) Chairperson Dlamini-Zuma has made strengthening the AUC's capacity and reforming its operations key priorities. She has welcomed assistance from her home country South Africa and other AU Member States, and international partners including the United States in providing staffing, staff funding, and training. The AU is currently exploring alternative sources of financing, including possible continental taxes on air travel or on insurance policies, but in the near future, the AU budget is likely to be predominantly drawn from Member States' dues and contributions from international partners.

In FY 2012, the U.S. Government funded seven technical staff positions in the AU and held three innovative training sessions for five AUC departments interested in cross-department cooperation on trade in services. The United States and AU are exploring a number of areas under which the two sides can cooperate on our mutual goals of economic development, strengthening governance, and promoting peace and security on the African Continent, which are outlined in the U.S.-AU Memorandum of Understanding signed by Former Secretary of State Clinton and Chairperson Dlamini-Zuma on February 1, 2013.

RESPONSES OF HON. JAMES F. ENTWISTLE TO QUESTIONS SUBMITTED BY
SENATOR MARCO RUBIO

Question. What is the reason behind the administration's hesitation to designate Boko Haram a foreign terrorist organization? In addition, is it not a policy anomaly that the leaders responsible for the organization's current ethos have been designated terrorists, but the organization they lead has not?

Answer. The Department does not comment on deliberations related to Foreign Terrorist Organization (FTO) designations, but we can provide you a classified briefing on this issue. As you note, we have designated a number of Boko Haram's senior commanders as Specially Designated Global Terrorists, shining a light on their horrific acts and cutting off their access to the U.S. financial system. The State Department has also offered Rewards for Justice for select members of Boko Haram that have ties to Al Qaeda in the Islamic Maghreb. The designations of individuals and organizations for terrorism, while frequently overlapping, are made separately.

Question. Is there a certain threshold of terrorist activities that Boko Haram must commit before the entire organization is designated? If, so what is that threshold?

Answer. The Department does not comment on deliberations related to Foreign Terrorist Organization (FTO) designations, but we can provide you a classified briefing on this issue. We are constantly assessing the nature of Boko Haram and those who claim to be its adherents. There is an ongoing, active process to review U.S. efforts to counter the threat posed by Boko Haram, including the appropriateness and effectiveness of specific terrorism designations. This process includes regular high-level dialogue with the Nigerian Government about its strategy toward Boko Haram and specific areas of U.S. assistance.

Question. What work is the administration engaged in regarding the prevention of child marriage in Nigeria? In particular, how do you plan to address the issue considering a girl under 18 who is married is considered an adult?

Answer. A recent vote in the Nigeria's legislature to change the age at which a Nigerian citizen may renounce his or her citizenship was erroneously reported as the Nigerian Senate voting to legalize underage marriage. To date, there are no laws in Nigeria that say girls under 18, if married, are considered adults. Embassy officials regularly meet National Assembly members, local officials and leaders of

nongovernmental organizations to discuss all human rights matters, including women and children's rights. If confirmed, I will continue to work with Nigerian officials to address these important issues.

RESPONSES OF HON. LINDA THOMAS-GREENFIELD TO QUESTIONS SUBMITTED BY
SENATOR RICHARD J. DURBIN

Question. Last winter, I authored an amendment to the National Defense Authorization Act (NDAA) that requires the State Department and the Treasury Department to impose visa bans and asset freezes on anyone found to be supporting the M23 rebel group operating in eastern Democratic Republic of the Congo (DRC). There have been multiple, public records, including from the U.N. Group of Experts and Human Rights Watch, that state that the M23 rebels receive support from officials in the Rwandan Government. A similar statement was issued from the State Department's spokesperson herself on July 23, 2013, and the same statement was issued during the fighting in Goma in late 2012.

- Who from the names listed in Group of Experts report of 2012, the more recent Group of Experts interim report released earlier this month, or from any other source has been subject to a U.S. visa ban?

Answer. Under Executive Order (EO) 13413, the Department of Treasury's Office of Foreign Assets Control (OFAC) designated Bosco Ntaganda on April 28, 2010; Sultani Makenga on November 13, 2012; Myamuro Ngaruye Baudoin and Innocent Kaina on December 18, 2012; and Jean-Marie Runiga and Eric Badege on January 3, 2013. We continually assess available information regarding individuals who may meet the criteria in EO 13413. Individuals designated by OFAC under EO 13413 are also subject to visa restrictions under Presidential Proclamation 8693. As for any action taken with regard to a visa application for an alien who has been so designated, the confidentiality provisions of section 222(f) of the Immigration and Nationality Act would apply.

Question. My understanding is that as of this month, no individuals were yet subject to this visa ban (nor have any waivers been invoked)—at least 6 months since enactment of the bill. If correct, why is that the case and how does State justify this significant discrepancy?

Answer. More generally, we are continuing to collect information and assess whether additional individuals should be subject to a U.S. visa ban or other sanctions. Additionally, consistent with section 1284 of the NDAA for fiscal year 2013, the Department has taken steps to watch-list individuals involved in or who have provided support to the M23 rebel group or its predecessor the National Congress for the Defense of the People (CNDP) in our consular lookout database, Consular Lookout and Support System (CLASS.) We have taken action to ensure that individuals designated by OFAC will be identified in visa screening. We consider the U.N. Group of Experts report along with other available information when making determinations about watch-listing individuals who may be involved with the M23. Again, the confidentiality provisions of section 222(f) of the Immigration and Nationality Act would apply to any individual visa record.

The State Department pursues these efforts as part of its broader work, in concert with interagency partners, to advance peace and security in the DRC. The Department has informed your staff that we will discuss these developments with your office in the near future.

TEXT OF AMENDMENT

SEC. 1284. IMPOSITION OF SANCTIONS WITH RESPECT TO SUPPORT FOR THE REBEL GROUP KNOWN AS M23.

(a) **Blocking of Assets—**

(1) **IN GENERAL.**—The Secretary of the Treasury shall, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) or Executive Order 13413 (74 Fed. Reg. 64105; relating to blocking property of certain persons contributing to the conflict in the Democratic Republic of the Congo), block and prohibit all transactions in all property and interests in property of a person described in subsection (c) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) **EXCEPTION.**—

(A) IN GENERAL.—The requirement to block and prohibit all transactions in all property and interests in property under paragraph (1) shall not include the authority to impose sanctions on the importation of goods.

(B) GOOD DEFINED.— In this paragraph, the term ‘good’ has the meaning given that term in section 16 of the Export Administration Act of 1979 (50 U.S.C. App. 2415) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

(b) VISA BAN.—The Secretary of State shall deny a visa to, and the Secretary of Homeland Security shall exclude from the United States, any alien who is a person described in subsection (c).

(c) PERSONS DESCRIBED.—A person described in this subsection is a person that the President determines provides, on or after the date of the enactment of this Act, significant financial, material, or technological support to M23.

(d) WAIVER.—The President may waive the application of this section with respect to a person if the President determines and reports to the appropriate congressional committees that the waiver is in the national interest of the United States.

(e) TERMINATION OF SANCTIONS.—Sanctions imposed under this section may terminate 15 days after the date on which the President determines and reports to the appropriate congressional committees that the person covered by such determination has terminated the provision of significant financial, material, and technological support to M23.

(f) TERMINATION OF SECTION.—This section shall terminate on the date that is 15 days after the date on which the President determines and reports to the appropriate congressional committees that M23 is no longer a significant threat to peace and security in the Democratic Republic of the Congo.

(g) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means—

(A) the Committee on Banking, Housing, and Urban Affairs, the Committee on Armed Services, and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Financial Services, the Committee on Armed Services, and the Committee on Foreign Affairs of the House of Representatives.

(2) M23.—The term ‘M23’ refers to the rebel group known as M23 operating in the Democratic Republic of the Congo that derives its name from the March 23, 2009, agreement between the Government of the Democratic Republic of the Congo and the National Congress for the Defense of the People (or any successor group).

(3) UNITED STATES PERSON.—The term ‘United States person’ means—

(A) an individual who is a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States.

**NOMINATIONS OF JAMES COSTOS, DENISE
BAUER, JOHN GIFFORD, JOHN EMERSON,
AND DAVID PEARCE**

THURSDAY, JULY 25, 2013

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

Hon. David D. Pearce, of Virginia, to be Ambassador to Greece
John B. Emerson, of California, to be Ambassador to the Federal
Republic of Germany
John Rufus Gifford, of Massachusetts, to be Ambassador to Den-
mark
Denise Campbell Bauer, of California, to be Ambassador to Bel-
gium
James Costos, of California, to be Ambassador to the Kingdom of
Spain and to serve concurrently and without additional com-
pensation as Ambassador to the Principality of Andorra

The committee met, pursuant to notice, at 2:30 p.m., in room SD-419, Dirksen Senate Office Building, Hon. Christopher Murphy, presiding.

Present: Senators Murphy, Boxer, Shaheen, Kaine, and Johnson.

**OPENING STATEMENT OF HON. CHRISTOPHER MURPHY,
U.S. SENATOR FROM CONNECTICUT**

Senator MURPHY. Good afternoon. We will call this hearing of the Senate Foreign Relations Committee to order.

To begin with, we are going to have very brief opening statements from myself and Senator Johnson. Then we will proceed with the introduction of the witnesses, many being made by my colleagues and possibly at least one to join us. And then we will proceed to your opening statements, just to get you ready.

I will start to my left and go down the row, starting with Mr. Costos for opening statements.

I am pleased to welcome all of our nominees and their friends and families who have come here to support them today.

We are considering today the nominations of David Pearce to serve as Ambassador to Greece, John Emerson to be Ambassador to the Federal Republic of Germany, John Rufus Gifford to be Ambassador to Denmark, Denise Campbell Bauer to be Ambassador to

Belgium, and James Costos to be United States Ambassador to Spain and Andorra.

As I said at our last hearing, probably one of the most overused words in diplomatic circles these days is "pivot." While the United States clearly faces a lot of new and emerging threats and challenges from Asia, our most important, long-lasting, and unbreakable alliance is with Europe.

Almost without exception when the United States faces a crisis, we turn to Europe first. And almost without exception, Europe responds.

It does not mean we do not have our disagreements, but it is going to be your job to help strengthen and maintain this vital security relationship while expanding on our economic relationship.

All the countries of which we are discussing today are members of the European Union, amongst the first members of NATO, and from Syria to Afghanistan, from climate change to counterterrorism, the nations to which you have been nominated serve on the front line as partners to the United States.

Each of you are going to play a critical role in success of the Transatlantic Trade and Investment Partnership, which requires the agreement of the European capitals as well as the European Parliament.

You are going to represent the United States in discussions urging our friends to keep working to resolve the eurozone crisis and encourage them to keep up the momentum on necessary reforms.

And I hope that you will work with our colleagues to advance the cause of human rights, both on the European Continent and beyond.

You are also going to hear complaints from our European friends.

You are going to be charged with explaining the U.S. interests in global information gathering to prevent attacks on both the United States and European soil. And you will also hear criticism that the United States leads too often from behind on the issue of climate change.

The President has recently clearly and strongly reiterated his commitment to changing this perception, and I hope that you will be on the leading edge of a renewed effort to stand side by side with Europe in combating the disastrous increase in global temperatures.

We congratulate you all on your nominations. We look forward to this hearing and hope that the Senate will work to quickly and positively respond to your confirmations today.

We have got a full panel. So let us get busy with introductions. And well, actually first, let me recognize Senator Johnson for his opening statement and then we will do introductions.

**STATEMENT OF HON. RON JOHNSON,
U.S. SENATOR FROM WISCONSIN**

Senator JOHNSON. I will be quick. First of all, thank you, Mr. Chairman.

I certainly want to join you in congratulating the nominees for your nomination. And I also want to thank you for your willingness to serve. Thank you for your past service as well.

I also want to thank you for stopping by my office, Mr. Emerson. I am sorry that our schedule kind of conflicted.

I certainly believe America is a phenomenal force for good in the world. It is your job to represent our interests and, certainly, hopefully, convey to the countries you are going to be representing America to about our goodness.

But your job also is then to report back and represent the countries you are going to be Ambassadors to, to not only this country, but also this committee. So again, I just want to thank you for your willingness to serve and wish you the best to luck.

And with that, I will end my comments.

Senator MURPHY. Senator Feinstein, welcome, and I know you have a busy schedule and cannot stay. So we would love to have your introduction of our one of our guests first.

**STATEMENT OF HON. DIANNE FEINSTEIN,
U.S. SENATOR FROM CALIFORNIA**

Senator FEINSTEIN. Well, thank you very much, Mr. Chairman. And I am delighted to see my friend and colleague, Senator Boxer, here.

And if she were speaking, I would say just "ditto," and I hope she would say the same thing for me, because I think I can speak for her as well by saying that John Emerson is a friend of ours. He is the President's nominee to be the next Ambassador to Germany.

And a little bit about him. He is the son of a Presbyterian minister, raised in the suburbs of New York City. He attended Mamaroneck High School outside of New York before earning his bachelor's degree from Hamilton College in 1975. In 1978 he received a law degree from the University of Chicago.

Then he moved to Los Angeles to practice with the law firm Manatt Phelps & Phillips, specializing in business and entertainment litigation and administrative law.

In 1982, he was appointed by the Governor to the California Law Revision Commission, where he served for 2 years. In 1984, he became a partner in Manatt Phelps. He left the firm in 1987.

He also served as deputy chief and chief of staff to the Los Angeles City Attorney, Jim Hahn. He left in 1993 to join the Clinton White House as a deputy assistant to the President. In that role, he was the economic conference coordinator for the Clinton-Gore transition of 1992, was the deputy director of the President's personnel in 1993. He was the chair of the Federal Interagency Task Force on the Northridge earthquake. That recovery was in 1994. He was the coordinator for the GATT implementing legislation in 1994, and he helped on the renewal of China's Most Favored Nation status in 1996.

He was the deputy director of intergovernmental relations for the administration, which was the outreach to governors throughout America.

He left the Clinton administration to become the President of the Capital Group, which is one of the world's largest investment management firms. In 1998, he was named to the Los Angeles Mayor's blue ribbon committee on public safety infrastructure. He joined the Pacific Council on International Policy, and he has been a member of the Council of Foreign Relations.

From 2008 to 2012, he served as a board member of the Los Angeles Mayor's Trade Advisory Council. In 2010, he was appointed by President Obama to serve on his advisory committee on trade policy and negotiations, and he remains at this time a member of that committee. He retains his membership in the California State Bar.

Now, I think both Barbara and I have known John for a long time. He is a man with amazing followup, drive, and determination.

I actually think he will be superb Ambassador to Germany. I understand he speaks the language. He is interested in the country. As you will see, he is articulate. He is verbal. He is likable. And he is sort of the total package.

So I am very happy to be here to put in a few words for him, Mr. Chairman.

Senator MURPHY. Thank you very much, Senator Feinstein. I know you have other events to attend to.

Senator FEINSTEIN. I do.

Senator MURPHY. But I thank you for being here with us.

Senator FEINSTEIN. Thank you. Thank you so much.

Senator MURPHY. And with that, I would like to recognize Senator Boxer.

Senator BOXER. Thank you.

I am not going to say ditto because—

[Laughter.]

Senator BOXER [continuing]. I want to put my remarks in the record and be clear.

But I certainly am not going to go through John's resume, because it is exhausting just to listen to it, let alone to have lived it. [Laughter.]

Senator BOXER. And I just want to say to colleagues here on both sides of the aisle, I think you have a wonderful panel before you, and we are lucky to have these folks come forward.

I do want to point out there are two other Californians on the list today sitting before us: Denise Campbell Bauer to be Ambassador to Belgium, and James Costos to be the U.S. Ambassador to Spain.

I want to say to all of you who are sitting here, congratulations.

And to my Californians, I want to say a special thank you, because I know in California, we have an optimistic can-do spirit. And I know you will bring that spirit to your very important jobs.

Well, I certainly consider myself fortunate, as Dianne does, to have known John for more than 20 years. And I, too, have seen him excel in every endeavor, including in the public and the private sector.

I also know he is a wonderful husband and a wonderful dad. And I also know that his wife is here

Kimberly, will you stand up?

She is taking pictures now. [Laughter.]

Recording the moment. Welcome.

And what I want to say to all the families who are here, thank you. I often say you are serving our country, too. You are. The whole family signs up. When one of your members goes into Diplomatic Service or into the military, it is a family deal.

And I want to say that as I look at John and I think about this assignment, I just think it is so tailor-made for you, John. Your interest in Germany, the fact that you do speak the language.

And when I look at all of your experience, I know that your private sector skills will come to play as you work to represent our Nation in working with Germany and the whole European alliance by extension, because they are really a leader in many of the economic solutions there.

You bring that private sector experience to the fore. And you will also bring your public sector experience to the fore when you have to deal with national security matters.

So in closing, let me say, I hope we are going to move these nominees quickly. We need to have our best and brightest out there on the ground. It is a world that is changing. It is a world that deals with all kinds of problems and challenges.

And I just really believe that we have a panel here that is up to the task. And just knowing John as I have for so long, I just want to say I can give you clear assurance on that one because I know and I have watched him.

Thank you very much.

Senator MURPHY. Thank you, Senator Boxer.

And now, for introduction of Mr. Gifford, Senator Kaine.

**STATEMENT OF HON. TIM KAINE,
U.S. SENATOR FROM VIRGINIA**

Senator KAINE. Thank you, Mr. Chairman, to committee colleagues and to the panel, congratulations to all of you.

There are a number of friends sitting on this panel, and it is a treat to be here today on a special day for you.

I had a chance to visit the Middle East and Afghanistan with six Senators about a month ago, Senator Cornyn led a delegation, and it was really a powerful one. And as we were in Turkey, Jordan, the UAE, Afghanistan, we spent a lot of time with some of the best and brightest in this country, people who are Ambassadors or working in embassies in those countries.

And it was really a spectacular opportunity to see the best of America at work, but also to come to understand in a little bit more dramatic way the challenges and sacrifices to do the job, hearing about people's careers and certainly they were exciting places that they had been, but the number of times they had moved and the challenges and sometimes living in some tough parts of the world, you really made me proud of folks who work in these capacities.

And you will have your challenges. But you are going to be great Ambassadors. You are joining a wonderful, wonderful collegial fraternity and sorority of American public servants.

I am happy to introduce my friend, Rufus Gifford.

Rufus is from Massachusetts. He spent most of his professional career in California.

But, John, I guess he did not call Senator Boxer and Feinstein faster than you did, so he has got a Virginian introducing him. [Laughter.]

Aside from that, that is probably to his detriment, but it is to my pleasure because Rufus is a great friend.

I had an opportunity to work very closely with Rufus during the Obama campaign in 2008, when I was chairman of the Democratic National Committee and he was the head of our finance operation. And then, again, in both the campaign in 2012 and in his work in the inaugural.

And I will just say, Mr. Chair, a couple of things about Rufus.

Consummate professional. Consummate professional with always a positive attitude. Great leadership skills in all of the capacities he has had in professional life, from his time doing film and television production to his work in the political realm.

He has had to build teams. He has had to lead teams. He has had to inspire teams. He has had to set ambitious goals and then leverage the power of relationship-building to achieve them. Team-building and leveraging the relationships to achieve goals is a key part of what you'll do in this role.

He will think outside the box, not wedded to old views and ideas, but willing to be creative. A significant degree of honesty and integrity. Not afraid of a challenge. You do not take on a fundraising job if you are afraid of a challenge, and Rufus has done that and done it well.

But something that I think is really important is—and there are many friends of Rufus's in this room, and you are going to know exactly what I mean when I say this. To do the jobs that he has had to do, he has had to be a real diplomat, a real diplomat, because, I would like to say that every person he has dealt with along the way has been incredibly happy. And I know from experience that that is not always been the case. And Rufus has been able to be a great problem-solver to deal with folks whether they are happy or unhappy and make them feel listened to and make them feel included. And that is something that I value about him, and I relied on him.

And finally, Rufus is a master of hospitality. He is from Massachusetts, but I give him an honorary Southerner degree in hospitality area. And that is part of what an Ambassador does as well is making American visitors feel welcome, and then making those of the host country feel that they are also welcome as friends.

And Denmark is a great ally. Denmark has been with us in so many national security alliances, as a NATO ally. Denmark has been a key partner of ours from the very beginning in Afghanistan. It is a close security relationship. It is a close economic relationship.

When I was Governor of Virginia, Maersk, A.P. Moller-Maersk, one of the major Danish firms that has shipping operations around the world, had a huge Virginia presence. And so we have very close economic and security ties.

I am happy that we are sending somebody to be Ambassador to Denmark that the Danish will know is someone that the President cares very deeply about. And by sending somebody like Rufus to do that job, it sends a message to folks in Denmark that they are important and that the relationship is important.

And so, for that, Mr. Chair, I recommend Rufus without hesitation. He is going to make this country proud in this role.

Senator MURPHY. Thank you very much, Senator Kaine.

It gives me pleasure to introduce three other of our panelists.

First, from my left to right, let me welcome James Costos, who is our nominee to serve as Ambassador to Spain. There are going to be rare people who come before this panel who have such a deep background with regard to success both in the private sector, with the diversity of experience that Mr. Costos has had, and just a commitment to philanthropy, representing our ideals as you head off to represent us in Europe.

Mr. Costos is a respected leader with global business experience. He is currently the vice president of global licensing and retail at HBO and was previously the president and CEO of Eight Cylinder Inc., and head of promotions and consumer products at Revolution Studios.

Earlier in his career, Mr. Costos served in high-level positions at Hermes and Tod's in New York. A dedicated philanthropist, he is on the board of directors at the Humane Society of the United States and is active on human rights issues.

Mr. Costos obtained a degree in political science from the University of Massachusetts. He will be serving in a country that has hit very difficult economic times, has a strained relationship with Europe, but one that is more interdependent than ever, a country with strong national security ties to the United States.

We welcome you here today to the panel.

Let me now introduce Denise Bauer. Actually, I think I butchered your name at the beginning, because I am confusing you with one of our previous nominees, Dan Baer, and I do not think it will be the last time in Europe that Denise Bauer is confused with Dan Baer, our nominee to the OSCE.

But Denise brings to this position an overwhelming commitment to community that she has displayed throughout her life. She began her career in broadcast journalism as a producer at KCBS News in Los Angeles, and later worked for the American Red Cross in San Francisco.

She went on to become a leader in her community of Belvedere, CA, serving in organizations such as the Belvedere Parks and Open Space Committee, the Belvedere Women's Forum, on the board of directors of the Belvedere Community Foundation, and the list just goes on and on.

More recently, Ms. Bauer found a way to pursue her long-time interest in politics and public service at a national level by joining the Obama for America team as finance chair for women, as the cochair of the Democratic National Committee's National Issues Conference, and chair of the Women's Leadership Forum.

As Denise and I got the chance to talk privately, though our relationship with Belgium, hopefully, will be rather uncomplicated over the next 4 years, your post is one of the most important in Europe, because you are at the intersection of the United States and European politics.

And as we try to negotiate this trade agreement, which could be transformational for the United States, it will be Brussels in many ways that will decide whether this agreement moves forward or does not.

And the fact that you will be sitting as the welcoming committee for U.S. diplomats and European diplomats during this challenging time makes your role even more important and critical.

And last, let me introduce and welcome David Pearce, no stranger to this committee. He has dedicated his life to serving the United States and our diplomatic interests abroad.

He is nominated to be the United States Ambassador to Greece, but he has had a highly distinguished Foreign Service career, most recently serving as the Deputy Special Representative for Afghanistan and Pakistan, and before that as our Ambassador to Algeria.

At the beginning of his time in the Foreign Service, he served as a Greece country officer, and so this is in part a full-circle journey for Ambassador Pearce.

He began his career in journalism covering the foreign desks for such publications as the Associated Press, United Press International, and Rome Daily American, and the Washington Post. He has published a book on diplomacy and the media, received numerous awards, speaks six languages.

I want to also thank your family, Mr. Ambassador, for their service as well. I know that you have your wife and children here with them today.

We know that when you commit your life to public service abroad, you do it as a family, and we welcome them here today. I know that other members have families here, and I know that you will introduce them, I hope you will, when your turn for remarks comes.

So with that, let us get to the testimony of our witnesses. Let me first introduce James Costos.

STATEMENT OF JAMES COSTOS, OF CALIFORNIA, TO BE AMBASSADOR TO THE KINGDOM OF SPAIN AND PRINCIPALITY OF ANDORRA

Mr. COSTOS. Thank you, Mr. Chairman. Thank you, Senators.

Thank you for this opportunity to speak before this distinguished committee as President Obama's nominee to serve as the United States Ambassador to Spain and Andorra.

But before I begin today, I would just like to take a moment to express my heartfelt condolences to the family and friends of the victims of last night's train crash in Santiago de Compostela in Spain.

The U.S. Embassy in Madrid is working closely with our Spanish counterparts to provide for U.S. citizens who need assistance. I know our thoughts and prayers are with all of them.

I would also like to take this most important moment to introduce the most important people in my life who are with me today as they are every day. My parents, first-generation Greek-Americans who instilled in our middle-class family the values of hard work, self-reliance, and service, exemplified by my father's tenure as a U.S. Marine who was stationed at Camp David under President Truman.

My sister, Maria, a teacher's aide, is here.

And, of course, I am so grateful and proud that my partner, Michael Smith, of 14 years is also here. I am certain he will also represent our country very well.

My passion for service and community involvement began at a very young age, and I have remained politically and philanthropically active ever since, serving on the board of the Humane Society,

working with the Human Rights Campaign, dedicating my time and resources to arts and cultural institutions, and supporting the effort to elect President Obama.

Today, it would be the greatest honor and privilege of my life to represent the values and interests of the country I love in Spain and Andorra.

As an HBO executive responsible for global marketing and licensing, my leadership must inspire and gain the respect of employees in a large company. I manage by empowerment, and I develop my team to make decisions that allow them to take ownership of their work if they succeed or if they fail.

In the end, all that we do is for the greater good of the organization and those we serve.

If confirmed, the same will be true of my tenure as Ambassador. I will work to strengthen America's relations with Spain and particularly within the NATO alliance. Spain has been critical in supporting U.S. and NATO operations and Spain's strategic military bases in Rota and Moron host four Aegis-equipped U.S. destroyers and a 500-strong special Marine task force to provide rapid response to threats against America's interests in the region.

Spain is also a serious and committed partner in Afghanistan.

If confirmed, I will continue to strengthen our relationship with Spanish defense officials and make sure the Spaniards know how much we appreciate their shared commitment to investing in democracy and freedom around the globe. And I will encourage Spain to continue with its support of shared U.S. and NATO efforts.

Above all, I will work every day to ensure the safety and security of the 170,000 U.S. citizens in Spain and millions of visiting U.S. tourists reinforcing the cooperation amongst law enforcement agencies in the United States, Spain, and Andorra.

If confirmed, I look forward to relying on my extensive business experiences to encourage more commerce between Spain and the United States. With the Transatlantic Trade and Investment Partnership negotiations well underway, I will work with Spain to move these free trade negotiations forward by meeting and listening to the concerns of government officials and the Spanish people, traveling the country to raise awareness about the economic benefits of this agreement, and using traditional and social media to engage in public diplomacy on America's behalf.

I will also focus my strict attention on intellectual property rights issues, engage with the Spanish and Latino population in the United States and the United States-Spain Council to help encourage more business opportunities and investments, and make it a priority to focus on youth entrepreneurship and engagement using technology, science, the arts, cultural, educational, and sports exchange programs.

I believe the values I was raised with, my deep commitment to social and cultural issues, and the business experience I have gained over the past several decades, have uniquely prepared me for this role to strengthen our partnership and champion America's values and interests.

I am deeply committed to the economic and foreign policies of the country we love. And if confirmed, it would be the greatest honor

to serve America in this official capacity as the Ambassador to Spain and Andorra.

I thank you for your time, and I look forward to your questions. [The prepared statement of Mr. Costos follows:]

PREPARED STATEMENT OF JAMES COSTOS

Chairman Murphy, Ranking Member Johnson, members of the committee, thank you for the opportunity to speak before this distinguished committee as President Obama's nominee to serve as the United States Ambassador to Spain and Andorra. I would also like to thank the most important people in my life for being with me today, as they are every day.

My Mom and Dad are second-generation Greek-Americans who instilled in our middle-class family the values of hard work, self-reliance, and service, exemplified by my father's tenure as a U.S. Marine who was stationed at Camp David under President Truman.

My sister, a teacher's aide, is also here; as is my niece, who I'm proud to say is a recent graduate of nursing school. And of course, I'm so grateful that my partner, Michael, of 14 years is here, who will be a great asset to our country. He is equally committed to representing the very best of American art and culture to Spain, Europe, and visitors from all over the world.

My passion for service came from my parents, and my community involvement began at a very young age, when I volunteered with the local Chamber of Commerce in Lowell, MA, to help revitalize our city. I have remained politically and philanthropically active ever since, serving on the board of the Humane Society, working with the Human Rights Campaign, dedicating my time and resources to several arts and cultural institutions and supporting the effort to elect President Obama.

Today, it would be the greatest privilege of my life to represent the values and interests of the country I love in Spain and Andorra. Spain is an important historical ally of the United States and if confirmed, I will add to our more than 200 years of diplomatic history to further our shared interests. I believe that my experience as an HBO executive responsible for global marketing and communications should serve our country well as we tell America's story in Spain and Andorra.

A diplomatic mission, like a company, is comprised of multiple departments, all of which must be relied upon to move business forward. At HBO, my leadership had to inspire and gain the respect of employees in a large company with over 100 external business relationships in dozens of countries. I managed by empowerment, and developed my team to make decisions that allowed them to take ownership of their work if they succeeded or if they failed. In the end, all that we do is for the greater good of the organization and those we serve.

If confirmed, the same will be true of my tenure as Ambassador. I will work to strengthen U.S. relations with Spain bilaterally, multilaterally, and particularly within the NATO alliance. As you know, Spain's strategic military bases in Moron and Rota host U.S. forces on both a permanent and rotational basis and have been critical in supporting U.S. and NATO operations from Iraq to Afghanistan to Libya for more than a decade. In recognition of the strategic nature of these bases, the United States sought and was granted authorization to station four Aegis-equipped U.S. destroyers, along with their crews and families in Rota, beginning with two ships in 2014. In March of this year, Spain also authorized the temporary use of Moron to base a 500-strong Special Marine Air-Ground Task Force to provide rapid response to threats against U.S. interests in the region, especially in northern and western Africa. If confirmed, I will continue to strengthen our relationship with senior Spanish defense officials and make it a priority to visit these bases and the U.S. service men and women, and their families, protecting the United States and our allies.

Spain has been a serious and committed partner in Afghanistan for more than a decade and, as a key NATO member, has been an important contributor to the international community's peace and security agenda. I also intend to make sure the Spaniards know how valued they are and how much we appreciate their shared commitment to investing in democracy and freedom around the globe. If confirmed, I will encourage Spain to continue its support of shared U.S. and NATO efforts in training, advising, and assisting the Afghan National Security Forces in post 2014 Afghanistan as well as supporting peacekeeping operations in Africa.

Above all, I will work every day to ensure the safety and security of the 170,000 U.S. citizens in Spain and millions of tourists—reinforcing the strong cooperation among law enforcement agencies in the United States, Spain, and Andorra in combating terrorism, piracy, and drug trafficking, and working with the Government of

Spain to encourage legitimate business and tourist travel and to prevent unauthorized travel to the United States.

If confirmed, I look forward to relying on my extensive business experiences to encourage more commerce between Spain and the United States. With the Transatlantic Trade and Investment Partnership negotiations just beginning, I will work with Spain to move these free trade negotiations forward by meeting and listening to the concerns of government officials and the Spanish people, traveling the country to raise awareness about the economic benefits of this agreement, and use traditional and social media to engage in public diplomacy on America's behalf. I will also pay special attention to working with our Spanish partners to protect Intellectual Property Rights, to ensure the proper policies and legal mechanisms are in place to encourage investment and innovation, and to protect the rights of businesses that trade and invest transatlantically. I am also focused on engaging with the Spanish and Latino population in the United States to help encourage more Spanish-American exchanges, and uncover new business opportunities and investments. Additionally, I want to focus on youth engagement using technology, science, arts, cultural, educational and sports programs.

I am deeply committed to furthering the economic and foreign policies of the country we love, and it would be the greatest honor to serve the United States in this official capacity. I believe that the values I was raised with and the business experience I have gained over the past several decades have uniquely prepared me for this role. Spain is a valued partner of the United States on vital issues and we must continue engaging bilaterally and multilaterally to the benefit of both countries and the European Union. If confirmed, I will use my time as Ambassador to strengthen our partnership and champion the United States values and interests.

Senator MURPHY. Thank you, Mr. Costos.
Ms. Bauer.

**STATEMENT OF DENISE CAMPBELL BAUER, OF CALIFORNIA,
TO BE AMBASSADOR TO BELGIUM**

Ms. CAMPBELL BAUER. Thank you, Senator. Mr. Chairman and members of this distinguished committee, it is a great honor to appear before you today as President Obama's nominee to serve as the United States Ambassador to the Kingdom of Belgium.

I am deeply grateful to President Obama and Secretary Kerry for the confidence they have placed in me.

If confirmed, I will look forward to working with this committee and the Congress as I proudly dedicate myself to protecting and advancing U.S. interests in Belgium.

Belgium is a valued NATO ally, and the United States and Belgium have a long history of friendship and close cooperation. Belgians today still remember the generosity of ordinary Americans who sent food and medical aid during World War I, as well as the sacrifices made to liberate Belgium during the Battle of the Bulge 70 years ago this December.

Since then, our relationship has grown even stronger and Belgium has taken an important leadership role on the international stage. The United States has worked with Belgium on many issues of mutual interest, such as counterterrorism and countering violent extremism, expansion of trade relations, NATO missions in Afghanistan and Libya, and peacekeeping missions in the Middle East and Africa.

Belgium shares our commitment to promoting security, stability, and human rights around the world.

Belgium is also one of our most important trading partners. In 2012, the United States exported nearly 30 billion dollars' worth of goods and services to Belgium. U.S. companies have substantial investments in the Belgian economy, including in the chemical, automotive, petroleum, and pharmaceutical sectors.

The negotiations of the Transatlantic Trade and Investment Partnership present an opportunity to further expand this relationship. As President Obama said, America and Europe have done extraordinary things together before. And I believe we can forge an economic alliance as strong as our diplomatic and security alliances.

If confirmed, I will encourage Belgium to play a positive role in the trade negotiations and will work to expand American exports to Belgium and to help create more jobs and greater prosperity for the American people and Belgians alike.

In his statement before the Senate Committee, Secretary Kerry said, American foreign policy is defined by food security and energy security, humanitarian assistance, the fight against disease and the push for development, as much as it is by any single counterterrorism initiative. It is defined by leadership on life-threatening issues like climate change, or fighting to lift up millions of lives by promoting freedom and democracy.

I believe in this approach to foreign policy. If confirmed, I will embrace Secretary Kerry's diplomatic vision for furthering the interests of both the United States and Belgium, and will proudly lead an accomplished group of American interagency professionals and locally engaged staff.

As you know, this past Sunday was a historic day for Belgium. His Majesty King Philippe was sworn in as the seventh King of the Belgians.

If confirmed, it will be my privilege to work with the people of Belgium and their new king in opening this important new chapter in the long history between our nations.

In closing, if I may, I would like to take a moment to thank my family and friends for their incredible support through all life's journeys, particularly my husband, Steve, and our wonderful daughters, Katherine and Natalie. They are home in California now, but, should I be confirmed, they will join me in Belgium and will be part of a team effort. They share my commitment to serving our country and my appreciation of the vital role diplomacy plays in international peace and prosperity.

Once again, Mr. Chairman and members of this distinguished committee, thank you very much for this opportunity.

[The prepared statement of Ms. Campbell Bauer follows:]

PREPARED STATEMENT OF DENISE CAMPBELL BAUER

Mr. Chairman and members of this distinguished committee, it is a great honor to appear before you today as President Obama's nominee to serve as the United States Ambassador to the Kingdom of Belgium. I am deeply grateful to President Obama and Secretary Kerry for the confidence they have placed in me.

If confirmed, I will look forward to working with this committee and the Congress as I proudly dedicate myself to protecting and advancing U.S. interests in Belgium.

Belgium is a valued NATO ally, and the United States and Belgium have a long history of friendship and close cooperation. Belgians today still remember the generosity of ordinary Americans who sent food and medical aid during World War I, as well as the sacrifices Americans made to liberate Belgium during the Battle of the Bulge 70 years ago this December. Since then, our relationship has grown even stronger and Belgium has taken an important leadership role on the international stage. The United States has worked with Belgium on many issues of mutual interest, such as counterterrorism and countering violent extremism, expansion of trade relations, NATO missions in Afghanistan and Libya, and peacekeeping missions in

the Middle East and Africa. Belgium shares our commitment to promoting security, stability, and human rights throughout the world.

Belgium is also one of our most important trading partners. In 2012, the United States exported nearly 30 billion dollars worth of goods to Belgium. U.S. companies have substantial investments in the Belgian economy, including in the chemical, automotive, petroleum, and pharmaceutical sectors. The negotiations of the Transatlantic Trade and Investment Partnership present an opportunity to further expand this relationship. As President Obama said, "America and Europe have done extraordinary things together before. And I believe we can forge an economic alliance as strong as our diplomatic and security alliances."

If confirmed, I will encourage Belgium to play a positive role in the trade negotiations and will work to expand American exports to Belgium to help create more jobs and greater prosperity for the American people and Belgians alike.

In his statement before the Senate Committee, Secretary Kerry said, "American foreign policy is . . . defined by food security and energy security, humanitarian assistance, the fight against disease and the push for development, as much as it is by any single counterterrorism initiative. It is defined by leadership on life-threatening issues like climate change, or fighting to lift up millions of lives by promoting freedom and democracy."

I believe in this approach to foreign policy. If confirmed, I will embrace Secretary Kerry's diplomatic vision for furthering the interests of both the United States and Belgium, and will proudly lead an accomplished group of American interagency professionals and Locally Engaged Staff.

As you know, this past Sunday was a historic day for Belgium. His Majesty King Philippe was sworn in as the seventh King of the Belgians. If confirmed, it will be my privilege to work with the people of Belgium and their new king in opening this important new chapter in the long history of friendship between our nations.

In closing, if I may, I would like to take a moment to thank my family and friends for their incredible support through all life's journeys, particularly my husband Steve, and our wonderful daughters, Katherine and Natalie. They are home in California now, but, should I be confirmed, they will join me in Belgium and will be part of a team effort. They share my commitment to serving our country and my appreciation of the vital role diplomacy plays in international peace and prosperity.

Once again, Mr. Chairman and members of this distinguished committee, thank you very much for this opportunity.

I am happy to answer any questions you may have.

Senator MURPHY. Thank you, Ms. Bauer.

Ms. CAMPBELL BAUER I am happy to answer any questions.

Senator MURPHY. Thank you.

Mr. Gifford.

**STATEMENT OF JOHN RUFUS GIFFORD, OF MASSACHUSETTS,
TO BE AMBASSADOR TO DENMARK**

Mr. GIFFORD. Mr. Chairman, Senator Johnson, and members of the committee, thank you for permitting me this opportunity to appear before you as the President's nominee for the position of United States Ambassador to the Kingdom of Denmark.

It is a tremendous honor to be asked to serve in this post, and I thank President Obama and Secretary Kerry for their confidence in me.

I am joined here today by my mom and dad. And while my partner, Dr. Stephen DeVincent, could not be here, I am honored to be joined by a number of family and friends.

Throughout my life, whether I was working in the entertainment industry, self-employed, or in politics, my success was determined by my ability to build a strong team, to set and exceed goals, and to establish new and innovative ways to accomplish the mission.

If confirmed, I hope to bring the professional skills I have built over the course of my career to the Embassy in Copenhagen. I believe that leadership means investing in each and every one of your employees. I believe in pursuing a specific set of goals that are ag-

gressive yet achievable. And, in my mind, innovation in all of its forms is vital to success.

Diplomatic relations between the United States and Denmark began in 1783 when Denmark negotiated a commercial treaty with our brand new country. Since then, the relationship between the United States and Denmark has endured and thrived because we both share common principles and ideals, value our comprehensive partnership, and are committed to leading by example throughout the world.

If confirmed, my goals for the mission are as follows: to maintain and strengthen our country's already strong relationship. The Danes make outsized contributions across the board to global peace, security, and development.

Denmark is a country of fewer than 6 million people, but it is not shy about investing its resources and manpower in efforts to promote stability around the world. As close NATO allies, we are committed to each other's security.

Danes stand shoulder to shoulder with U.S. service men and women in Afghanistan, and Denmark's support of the missions in Kosovo and Libya has also been critical. Denmark's significant contributions to peace and security also come in the form of stabilization and development assistance programs in Africa and the Middle East.

Two, trade and economic prosperity. We must not just focus on the bilateral relationship in this ever-changing world but also the multilateral relationship. The Transatlantic Trade and Investment Partnership, or TTIP, will be a significant focus of our work in the coming months. Denmark is a logical partner in this incredibly bold initiative.

But we cannot center our business relationship around TTIP alone. The United States is Denmark's third-largest trading partner. More than 250 Danish companies have subsidiaries in the United States, employing over 35,000 Americans. We must continue to build our economic partnership, focusing on emerging industries such as information technology, biotechnology, and clean energy.

And three, leading by example with innovation, technology, and sustainability. The economic partnership between our two countries is vast. Denmark is a leader in medical research and technology as well as in wind energy, smart grid technology, and energy efficiency.

I am passionate about creating new alliances between the smartest minds in science and medicine in Denmark and here at home, with the ultimate goal of making the planet safer, cleaner, and smarter.

In addition, if confirmed, I will reach out to Greenland and the Faroe Islands. We will continue to strengthen our bonds with these parts of the Kingdom of Denmark, where innovation, technology, and sustainability can extend our commercial and economic ties.

Mr. Chairman, and members of the committee, by investing in teamwork, by setting smart and strategic goals, and by pushing the edge of the envelope, we can achieve great success and ensure that this relationship between our two great countries, 230 years old, is even stronger 230 years from now.

Again, thank you for permitting me to be here before you. I am truly honored by this opportunity.

If confirmed, I will do my very best to represent the United States, and I would hope to meet with you again in the future to report on our continuing partnership with Denmark.

Thank you. And I look forward to answering whatever questions you may have.

[The prepared statement of Mr. Gifford follows:]

PREPARED STATEMENT OF JOHN RUFUS GIFFORD

Mr. Chairman, Ranking Member Johnson, and members of the committee, thank you for permitting me this opportunity to appear before you as the President's nominee to be United States Ambassador to the Kingdom of Denmark. It is a tremendous honor to be asked to serve in this post and I thank President Obama and Secretary Kerry for their confidence in me.

When I was 10 years old my parents asked me what I wanted for my birthday. Expecting the typical answer of games or toys, they were surprised to hear my answer. All I wanted was a trip, just the three of us—leaving my brothers and sisters at home—to Washington, DC. I got my wish. I remember standing wide-eyed watching the Senate in session, touring the Reagan White House and walking the grounds of the Jefferson Memorial at night. My fascination with government and politics was already well established but it was this trip when I knew I just had to be part of it.

I am joined here today by the two people who took me on this first trip, my Mom and Dad along with my partner, Dr. Stephen DeVincent, who is taking a day off from his veterinary practice to be here. My one regret today is that my paternal grandparents could not be here. Through their frequent travel to Denmark, my grandparents fell in love with Copenhagen and the country, and would often regale us as children with stories of their experiences. To me Denmark seemed too good to be true, a land of Hans Christian Andersen's fairy tales. Turning the fantasy into reality, sitting here today, I wish more than anything that they could be here with us.

I grew up in Manchester, MA, a son of a banker with an eagerness to pave his own path. After graduating from Brown University in 1996, my career has taken me to Los Angeles, Washington, DC, and Chicago. Throughout my career, whether when I was working in the entertainment industry, I was self-employed or in politics, I have prided myself on three things:

- (1) Teambuilding;
- (2) Setting and exceeding goals; and
- (3) Establishing new and more innovative ways to accomplish the mission.

If confirmed, I hope to bring the professional skills I have built over the course of my career to the Embassy in Copenhagen. I believe that leadership means investing in each and every one of your employees; it's about management and creating an atmosphere where teamwork and collaboration can thrive.

I believe in pursuing a specific set of goals that are aggressive yet achievable. The status quo is never good enough. Success is not just about maintaining the status quo, it's about promoting new ideas and thinking outside the box. In my mind, innovation in all its forms is vital to success.

Diplomatic relations between in the United States and Denmark began in 1783 when Denmark negotiated a commercial treaty with our new country. Since then, the relationship between the United States and the Kingdom of Denmark has endured and thrived.

Why is that? A large part of the answer can be found in the fact that we share common principles and ideals, value our comprehensive partnership both politically and economically, and are committed to leading by example throughout the world.

If confirmed, my overall goal is to maintain and build upon that relationship. I believe that, as good as our bilateral relationship is, there will always be more to do.

My goals for the mission are as follows:

(1) To maintain and strengthen the strong relationship between the countries, focusing on our partnership to resolve and prevent conflicts abroad, stabilize regions in conflict, and foster democratic development, tolerance, and respect for human rights.

One cannot help but be impressed at the outsized contributions the Danes make across the board to global peace, security, and development. Denmark is a country

of fewer than 6 million people, but it is not shy about investing its resources and manpower in efforts to promote stability around the world. As close NATO allies, the United States and Denmark are committed to each other's security and stand together in critical crisis areas worldwide. Danish soldiers and civil servants stand shoulder to shoulder with our service men and women today in Afghanistan, and Denmark's support of the missions in Kosovo and Libya has also been critical.

Denmark's significant contributions to international peace and security also come in the form of stabilization and development assistance programs in west and east Africa as well as the Middle East. The Danes are leaders in Scandinavia and in Europe as a whole in addressing the root causes of extremism and are key partners in countering the threat of terrorism.

If confirmed, my goal will be to ensure this partnership remains and is strengthened.

(2) Trade and Economic Prosperity.

We must not just focus on the bilateral relationship in this ever-changing world but also the multilateral relationship. The Transatlantic Trade and Investment Partnership—or TTIP—will be a significant focus of our work in the coming months. President Obama called TTIP a potential “groundbreaking partnership” while creating “hundreds of thousands of jobs on both sides of the Atlantic.”

While the negotiations are between the United States and the European Union, the support of EU member states will be crucial as well. Denmark is a logical partner in this incredibly bold initiative. The English translation of “Copenhagen” is actually “Merchants’ Harbor.” Denmark is a country built upon centuries of trade. Like us, the Danes know that when we break down barriers to trade, we improve our ability to raise standards and increase prosperity around the world. I am not naive about the work ahead—it will be an “all hands on deck” endeavor. But considering the strong relationship between the United States and Denmark, we can help support an initiative that will lead the way to creating more jobs and growth on both sides of the Atlantic.

But we cannot center our business relationship on TTIP alone. The United States is Denmark's third-largest trading partner. More than 250 Danish companies have subsidiaries in the United States employing over 35,000 Americans. We must continue to build our economic partnership, focusing on emerging industries such as information technology, biotechnology, and clean energy. Secretary Kerry has called on the State Department to “double down” on economic diplomacy. That means engaging both the political and economic decisionmakers in Denmark to advance opportunities for U.S. businesses.

(3) Leading by example with innovation, technology and sustainability.

The partnership here between our two countries is vast. Denmark is a leader in medical research and technology. The Danes are also leaders in wind energy, in smart grid technology, and energy efficiency. I am passionate about furthering this relationship, creating alliances between the smartest minds in science and medicine in Denmark and the smartest minds here at home with the ultimate goal of making the planet safer, cleaner, and smarter.

In addition, if confirmed, I will also reach out to Greenland and the Faroe Islands. We will continue to strengthen our bonds with these parts of the Kingdom of Denmark, where innovation, technology, and sustainability can extend our commercial and economic ties.

Mister Chairman and members of the committee, by investing in teamwork, by setting smart and strategic goals, and by pushing the edge of the envelope, we can achieve these goals and ensure that the relationship between our two great countries—230 years old—is even stronger 230 years from now.

Again, thank you for permitting me to appear before you. I am truly honored by this opportunity. If confirmed, I will do my very best to represent the United States—and I would hope to meet with you again in the future to report on our continuing partnership with Denmark.

I look forward to answering any questions you may have.

Senator MURPHY. Thank you, Mr. Gifford.

Mr. Emerson, welcome.

**STATEMENT OF JOHN B. EMERSON, OF CALIFORNIA, TO BE
AMBASSADOR TO THE FEDERAL REPUBLIC OF GERMANY**

Mr. EMERSON. Thank you very much.

Good afternoon, everybody.

Mr. Chairman, Senator Johnson, distinguished Senators, thank you very much for the privilege of appearing before you today.

And I would also like to thank my good friends, Senators Boxer and Feinstein, for their generous and kind words on behalf of my nomination to be Ambassador to the Federal Republic of Germany.

I am also deeply grateful to President Obama and Senator Kerry for their confidence and for this honor.

And if you would permit me, I would like to introduce to the committee my wife, Kimberly Marteau Emerson. Kimberly worked at USIA during the Clinton administration and subsequently has been extremely active in promoting public diplomacy and human rights and in the cultural and civic life of our community. And I have no doubt that, if I am confirmed to serve in Germany, she will be a great asset to our country.

And our three teenage girls, Jackie, Taylor, and Hayley, are unable to be with us today, but I can guarantee you that they will be enthusiastically accompanying us.

If confirmed by the Senate, I will have the privilege of returning to Germany for the fourth time in four separate decades. Both Kimberly and I share a deep German heritage, through my paternal and her maternal grandparents.

From my youth, I have had an interest in the culture and the people of Germany, although I will admit that my decision at age 12 to begin studying the language probably had more to do with the fact that my father and grandmother would speak it when they did not want me to know what they were talking about. [Laughter.]

I first visited Germany upon graduating from college, staying with my former German history professor who had moved to Berlin and who subsequently spent many years working with this committee—Michael Haltzel.

A decade later, I was selected by the Friedrich Ebert Stiftung to be one of four Americans from the public sector to travel the country and participate in meetings with local and federal German officials. During these visits and subsequent family travel, I have been struck by the warmth of the German people, as well as the special relationship that America and Germany share.

The partnership between our two countries is one of our most important alliances, as we confront the economic and security challenges of the present day.

If confirmed, I would work with our German partners to ensure financial and economic stability in the eurozone, as a successful European market base allows for increased American business opportunities and jobs here at home. I would work to support the TTIP negotiations as appropriate, and if they are successfully concluded, would focus on promoting trade and investment with Germany.

While serving in the Clinton White House, I had the privilege of managing our efforts to secure congressional approval of the Uruguay round of the GATT, working closely with then-White House Fellow, Michael Froman. Well, I look forward to working with now-U.S. Trade Representative, Michael Froman, on TTIP-related issues.

It is critical that we incorporate economic statecraft at all levels of our diplomacy. I hope to build on my experience in business and

global investment management to engage in promoting U.S. business interests, and thereby helping to create jobs here at home.

Germany is a committed partner in combating terrorism and promoting our mutual national security. Its support of the approximately 45,000 American troops currently forward positioned on German soil remains vital to European security and our defense initiatives aboard.

As Ambassador, I would encourage Germany to continue its strong support of NATO, as Germany sends the largest number of troops to Kosovo, and, with 4,300 troops, is the third-largest contributor to Afghanistan. Germany has also indicated a willingness to lead NATO's efforts in northern Afghanistan post-2014.

Germany has deployed two Patriot surface-to-air missile batteries in response to Turkey's request for NATO ballistic missile defense support and is actively engaged in helping us to secure peace and security and nonproliferation efforts in Syria and Iran.

Germany and the United States are leaders in energy transformation, and as such, there is a great opportunity for bilateral cooperation in emerging energy and environmentally friendly technologies. And if confirmed, I would work to see where U.S. companies with expertise in energy and environmental areas might be able to engage in this exciting market.

Mr. Chairman, Senator Johnson, members of the committee, I am honored to have been nominated to serve as Ambassador to a country that is so consequential to our economic and national security interests as well as a place where I have a strong personal connection, and if given the opportunity, I pledge I will serve the American people with dignity and honor, and work to foster an even stronger alliance between these two important allies based on our common shared values.

Thank you so much for your consideration.

[The prepared statement of Mr. Emerson follows:]

PREPARED STATEMENT OF JOHN B. EMERSON

Mister Chairman, Ranking Member Johnson, and distinguished members of the Senate Foreign Relations Committee, thank you for the privilege of appearing before you today.

I would also like to thank my friends Senator Feinstein and Senator Boxer for their kind words in support of my nomination to be Ambassador to the Federal Republic of Germany. I am deeply grateful to President Obama and Secretary Kerry for this great honor, and for giving me the opportunity to work yet again as a public servant.

If you would permit me, I would like to introduce to the committee my wife, Kimberly Marteau Emerson. Kimberly worked at USIA during the Clinton administration and subsequently she has been active in promoting public diplomacy and in the civic and cultural life of our community. I know that if I am confirmed to serve in Germany, she would be a great asset to our country. Our three teenage girls, Jackie, Taylor, and Hayley, are unable to be with us today, but they would be enthusiastically accompanying us as well.

If confirmed by the Senate, I will have the privilege of returning to Germany for the fourth time in four separate decades. Both Kimberly and I share a deep German heritage, through my paternal and her maternal grandparents. From my youth, I have had an interest in the culture and the people of Germany—although I will admit that my decision at age 12 to begin studying the German language may have had more to do with the fact that my father and grandmother would speak it when they didn't want me to know what they were discussing!

I first visited Germany upon graduating from college, staying with my former German history professor who had moved to Berlin and who subsequently spent many years working for this committee—Michael Haltzel. A decade later, I was

selected by the Friedrich Ebert Stiftung to be one of four Americans from the public sector to travel the country and participate in meetings with local and federal German officials. During these visits and subsequent family travel, I have been struck by the warmth of the German people, as well as the special relationship that America and Germany share. The partnership between our two countries is one of our most important alliances, as we confront the economic and security challenges of the present day.

If confirmed, I would work with our German partners to ensure financial and economic stability in the eurozone, as a successful European market base allows for increased American business opportunities. I would work to support Transatlantic Trade and Investment Partnership (TTIP) negotiations as appropriate, and if they are successfully concluded, would focus on promoting trade and investment with Germany. While serving in the Clinton White House, I had the privilege of managing our efforts to secure congressional approval of the Uruguay Round of the GATT, working closely with then-White House Fellow, Michael Froman. I look forward to working with now-U.S. Trade Representative Froman on TTIP-related issues. It is critical that we incorporate economic statecraft at all levels of our diplomacy. I hope to build on my experience in business and global investment management to engage in promoting U.S. business interests, and thereby help create jobs here at home.

Germany is an important NATO ally and a committed partner in combating terrorism and promoting our mutual national security. Germany hosts approximately 45,000 American troops that remain vital to our shared security interests, including beyond Europe. As Ambassador, I would encourage Germany to continue its strong support of NATO. Germany leads the alliance in terms of number of troops deployed to Kosovo, and it has an important leadership role in Afghanistan, leading efforts in the north and providing 4,200 troops. Germany has also indicated willingness to continue to lead NATO efforts in northern Afghanistan post-2014. Germany has deployed two Patriot surface-to-air missile batteries in response to Turkey's request for NATO ballistic missile defense support. Germany also is actively engaged in peace and security and nonproliferation efforts Syria and Iran. It has cohosted the Friends of Syrian People working group for economic development and established, together with the UAE, a Trust Fund for Syria, to support Syrian reconstruction. It has also pledged 125 million euros for humanitarian assistance in Syria. Germany shares our commitment to prevent a nuclear-armed Iran through a dual-track approach of pressure and engagement. As a member of the P5+1, Germany is actively involved in efforts to reach a negotiated solution that addresses the international community's concerns over Iran's nuclear program.

Germany and the United States are leaders in energy transformation and as such, there is great opportunity for bilateral cooperation in emerging energy and environmentally friendly technologies. If confirmed, I would support Germany's efforts to diversify its energy routes and sources, as well as the role it has and can continue to play in broader EU efforts to promote regional energy security. Germany has made impressive progress in developing renewable energy sources including wind and solar power. If confirmed, I would also work to see where U.S. companies with expertise in energy and environmental areas might be able to engage in this exciting market.

Mister Chairman, Ranking Member Johnson, and members of the committee, I am honored to have been nominated to serve as Ambassador to a country that is so consequential to our economic and national security interests, as well as a place where I have strong personal connections. If confirmed, I would be excited to begin work during this key juncture in United States-German relations, in the approach to particularly as Germany's federal elections in September approach. If given the opportunity, I pledge that I will serve the American people with honor and dignity, and will work to foster an even stronger alliance between the United States and Germany based on our shared values.

Thank you for your consideration, and I would be happy to answer any questions you may have.

Senator MURPHY. Thank you, Mr. Emerson.
Welcome, Ambassador Pearce.

**STATEMENT OF HON. DAVID D. PEARCE, OF VIRGINIA,
TO BE AMBASSADOR TO GREECE**

Ambassador PEARCE. Thank you, Mr. Chairman, and thank you to the distinguished members of the committee.

It is a great honor to be here today as the President's nominee to be the next United States Ambassador to the Hellenic Republic.

Mr. Chairman, given the constraints on time, if you will allow me, I will present an abbreviated version of my statement and let the full one be added for the record.

First though, I very much appreciate the opportunity to introduce my wife, Leyla, who has ably represented the United States and served with me through more than three decades of Foreign Service postings in the Middle East, Europe, and North Africa. And with her are our daughter, Jenny, and our son, Joey, in the second row.

Mr. Chairman, I am grateful for the confidence and trust President Obama and Secretary Kerry have placed in me, and for the opportunity to appear before you today.

Since the founding of our Republic, the United States has looked to Greece, where the very idea of democracy was born, with special respect and affection. Relations between Greece and the United States are excellent, and we look forward to welcoming Prime Minister Samaras to the White House on August 8.

As you know, the bonds between our countries have been strengthened over the years by millions of Americans who trace their ancestry to the Hellenic Republic. The Greek-American diaspora community is always generous with its time, and if confirmed, I will look forward to working with them and seeking out their views.

Mr. Chairman, and members of the committee, Greece, as you all know, is experiencing a very critical period in its modern history as it seeks to emerge from an acute economic crisis that has now lasted 4 years. We stand in solidarity with the Greek people, who are making major but essential sacrifices to achieve the changes that are necessary to return Greece to economic prosperity.

There are still many challenges, but it is very much in the U.S. interest that these reforms succeed, given the importance of Greece to the broader eurozone financial stability.

If confirmed, I will work closely with the Greek Government to support its reform efforts, which are essential to restoring Greece's competitiveness and growth, improving market confidence, and creating a more prosperous future for its people.

I will also look for ways to expand bilateral trade and investment, and advocate for U.S. business and investors.

While much focus has justifiably been on Greece's economic situation, we need to remember it also plays a very important regional role.

In the first half of 2014, Greece assumes the presidency of the European Union. It is a longstanding NATO ally and has supported a variety of allied operations, including in Libya and Kosovo. Our strong security relationship is reflected in excellent cooperation at the Naval Support Activity base at Souda Bay, Crete.

Together, we have worked to combat transnational terrorist threats. We applaud, of course, the recent efforts by the Greek and Turkish governments to foster closer ties and build trust. We support the U.N. effort to settle the long-running Macedonian name dispute.

And of course, there is the continued division of Cyprus. We believe a mutually acceptable settlement there is in the best interest of the people of Cyprus and the region. We look forward to settlement talks resuming later this year, and we will support them in any way we can.

Mr. Chairman, these are some of the things I look forward to working on, if I am confirmed.

I first visited Greece as a classics student from Maine in the spring of 1971. Since then, I have maintained that interest, first as a journalist in Southern Europe and the Middle East, and then as a diplomat in nearby Rome, Jerusalem, Damascus, Tunis, and Algiers.

I have been in the Foreign Service for 31 years now, and if confirmed, I would bring that accumulated experience to Embassy Athens.

So, Mr. Chairman, thank you for the opportunity to appear again before you. I pledge to do my best to advance U.S. interests and our relationship with Greece, a valued friend and ally in every way possible, if confirmed. I also look forward to working with this committee, as well as your staff and your congressional colleagues, in that effort.

And now I would be pleased to answer any questions you may have. Thank you.

[The prepared statement of Ambassador Pearce follows:]

PREPARED STATEMENT OF HON. DAVID D. PEARCE

Thank you, Mr. Chairman, and thank you, distinguished members of the committee. It is a great honor to be here today as the President's nominee to be the next United States Ambassador to the Hellenic Republic.

I appreciate the opportunity to introduce my wife, Leyla, who has ably represented the United States, and served with me for three decades of Foreign Service postings in the Middle East, Europe, and North Africa. With Leyla are my daughter, Jenny, and our son, Joey.

Mr. Chairman, I am grateful for the confidence and trust President Obama and Secretary Kerry have placed in me, and for the opportunity to appear today before this committee.

Since the founding of our Republic, the United States has looked to Greece, where the very idea of democracy was born, with special respect and affection. Relations between Greece and the United States are excellent, and we look forward to welcoming Prime Minister Samaras to the White House on August 8. The bonds between our countries have been strengthened over the years by millions of Americans who trace their ancestry to the Hellenic Republic. The Greek-American diaspora community is always generous with its time, and if confirmed, I will look forward to working with them and seeking out their views.

Mr. Chairman, members of the committee, Greece is experiencing a critical period in its modern history as it seeks to emerge from an acute economic crisis that has now lasted 4 years. We stand in solidarity with the Greek people, who are making major but essential sacrifices to return Greece to economic prosperity. The Greek Government has made deep budget cuts to restore fiscal sustainability, but now needs to make progress on structural reforms that will revive the country's economic growth, including opening up its markets, privatizing state assets, reducing the public sector, and improving tax collection. There are still many challenges, but it is very much in the U.S. interest that these reforms succeed. If confirmed, I will work closely with the Greek Government to support its reform efforts—which are essential to restoring Greece's competitiveness and growth, improving market confidence, and creating a more prosperous future for its people. I will also look for ways to expand bilateral trade and investment and advocate for U.S. business and investors.

While Greece has justifiably been focused on its economic situation in recent years, it also plays an important role in the wider region:

- In the first half of 2014, Greece will assume the Presidency of the European Union.

- As a longstanding NATO ally, Greece has helped us meet global challenges, from supporting allied operations in Libya to stabilization efforts in Kosovo. And our strong security relationship with Greece is exemplified by our excellent cooperation at the Naval Support Activity base at Souda Bay, Crete.
- We have worked together with Greece not only to investigate and bring to justice domestic anarchists who have claimed Greek and U.S. victims, but also to combat transnational terrorist threats.
- We applaud the efforts of the Greek and Turkish Governments to foster closer ties and build trust—efforts that include a March meeting between Prime Ministers Samaras and Erdogan in Istanbul, and the resumption of Greek-Turkish Exploratory Talks on Aegean issues.
- Regrettably, the continued division of Cyprus has not yet been resolved. A mutually acceptable settlement is in the best interests of the people of Cyprus, and the region, so we look forward to settlement talks resuming later this year. The United States will work closely with the United Nations, both Cypriot communities, Greece, and Turkey to actively encourage reconciliation and reunification.
- Not least, we support the ongoing U.N. effort to settle the nearly 20-year-old name dispute between Athens and Skopje. Here too, a lasting and mutually acceptable solution is manifestly in the interest of both countries and the wider region.

Mr. Chairman, those are some of the challenges and opportunities I look forward to working on if I am confirmed. I first visited Greece as a Classics student in the spring of 1971. In the four decades since, I have maintained that interest working as a journalist in southern Europe and the Middle East, and then as a diplomat in nearby Rome, Jerusalem, Damascus, Tunis, and Algiers. I have been a Chief of Mission twice, and also an Assistant Chief of Mission, Principal Officer, and Deputy Chief of Mission. So, if confirmed, I would bring that accumulated experience to the policy, security, and management challenges that Embassy Athens faces.

Mr. Chairman, thank you again for the opportunity to appear before you. If confirmed, I pledge to do my best to advance U.S. interests, and our relationship with Greece, a valued friend and ally, in every way possible. I look forward to working with this committee, as well as your staff, and your colleagues, in that effort. I would be pleased to answer any questions you may have.

Senator MURPHY. Thank you very much, Mr. Ambassador.

Thank you to all of our nominees. We will now proceed with a round of 7-minute questions. I will just warn the panel we have a vote that is imminent, and so that may interrupt our hearing. We will figure out how to proceed with it once the vote is called.

Let me start with you, Ambassador Pearce. You know we have a saying around here that with crisis comes opportunity, and that is kind of by necessity here because we are constantly in crisis, so we can only hope that there is opportunity in crisis. But you remarked that you are going to be coming to Greece at a moment of ongoing economic crisis, but also at a time in which there is still hope that there is some resolution somewhere around the corner with respect to Cyprus and also the name dispute in Macedonia.

And so, I will ask, I guess, an open-ended question to hear a little bit more of your thoughts in terms of what role the United States can play, but ask it through this prism: Does it become harder or easier to try to solve those two problems as Greece is looking more constantly inward during this economic tumult? And what is the appropriate role for the United States to play in this new round of talks with Turkey and in a just very meddlesome name change dispute that should be resolved in the short term, we hope, with respect to Macedonia?

Ambassador PEARCE Thanks, Senator. Let us see, that is a lot to chew on.

I think that, clearly, the economic crisis in Greece is really tough. I mean, it has been going on for about 4 years now. And the econ-

omy has contracted 25 percent, and it is a lot of pain for ordinary people. That is very tough politically, of course, for any government to come to grips with.

Nevertheless, I think that the Greeks have made significant progress. They have started to close their fiscal gap. They have recapitalized their banks, and the labor costs are coming down.

But there is a lot more to do. And I think that the main chore here is going to be to work with them to help them get through this very tough period.

I think that you are right that there are opportunities. And I do think that one opportunity I can think of right off the bat is that, if Greece is successful with its reform process, it will mean a better investment climate. It will mean more business opportunities. And I think that would be good for U.S. companies and firms in the future.

So I think there is a lot to do in terms of the domestic and the economic side.

In terms of Cyprus and the name issue, well, I was on the desk 26 years ago. And, regrettably, Cyprus is still an issue. I do think though, from what I have seen as I prepared for this appointment, that there are a couple of things which are encouraging. One of them is that the quality of relations between Greece and Turkey is better now, it seems to me, than it was back when I was working on the desk before.

Another is that there is an expectation that settlement talks in Cyprus are going to resume in October. That would be great. If this dispute can finally be moved out of frozen status, and if the tragic division of the island can end, and we can reach a comprehensive settlement, and, of course, we support a bizonal, bicommunal federation, that would be enormous.

And I think it would be not just for Cyprus, but for regional stability. And that would be a really great thing. And if confirmed, I would, of course, do everything that I can do from my perch in Athens to help in that regard.

The name dispute was not there 26 years ago when I was on the desk, although it has been running for more than 20 years now, I guess. This is a very difficult issue, but we hope that the U.N. special envoy, Matt Nimetz, will be able to make some progress. We support his efforts. And we do hope that a solution can be found that can be finally mutually acceptable to both sides because that, too, would be good for regional stability and the integration of Euro-Atlantic institutions.

The U.S. role, I think, in the economic crisis, which you asked specifically about, the U.S. role I believe is to be there to engage, to monitor, to report, and to make sure that policymakers back here have the information they need in order to take the decisions that they need to.

Senator MURPHY. We have a NATO summit in 2014. There are a number of other potential issues for Macedonia to join, but, clearly, this is at the top of the list. Clearly, that is a timetable a lot of people are going to look to try to get this resolved.

Mr. Emerson, let me ask you a specific question. You are going to be showing up in Germany in the middle of an election, a hotly contested election in which Germany's relationship with America is

on the table. One of the pending issues that the SPD is raising is their allegation that Chancellor Merkel has been too close to the United States with regard to our surveillance programs and our information-gathering programs.

And you, probably, on the first day you are there, are going to be asked questions about the extent of this program and what the future of it is. I know you are not there, but can you just share with us your perspective on how the next Ambassador should manage this particular issue, given the fact that it is going to be, as it already is, an issue in the German election?

Mr. EMERSON. Well, thank you for that, Senator.

Obviously, that is a very, very important issue and something, clearly, we have given a lot of thought to. I think, first of all, we need to just step back and take a look at this in the context of the overall extraordinary relationship and partnership that the Americans and the Germans have and have had over the years.

As President Obama has said, Germany is one of our most important allies in the world. We work together on just about everything from economic engagement to national security issues. And as part of that, we share intelligence on security matters and security threats that could impact all of us.

I am obviously very well aware of the concerns that Germany has raised. And the administration, as I understand it, has engaged with Germany and our other European allies and partners with regard to those concerns.

I think as Ambassador, my principle role is going to be to listen and to engage on the ground, and to continually reassure government officials, political leaders, the German people, that the United States will continue to work hard together with Germany to combat terrorism to keep our country safe, but to do so with collective action based upon our shared respect for the rule of law.

Senator MURPHY. I can tell by that answer that you are going to be an excellent Ambassador. [Laughter.]

I am going to turn the chair over to Senator Johnson. I am going to go vote. Then we will swap out, so we can keep this hearing running.

So, Senator Johnson. And I will return.

Senator JOHNSON [presiding]. Thank you, Mr. Chairman. I am not exactly sure what you meant by that, but I think I know. [Laughter.]

So we can kind of spread out the questions, what I would like to do is just go down the panel, starting here on the left-hand side, since Senator started on the right.

And I would just like to ask each one of the future Ambassadors or the nominees what is the No. 1 diplomatic issue between the United States and the country that you are going to be representing?

Mr. COSTOS. Thank you, Senator. I appreciate the question.

As we know, Spain is in the middle of an economic crisis. At this point, unemployment is almost above 30 percent. And for youth in Spain under the age of 25, it is rapidly approaching over 50 percent.

President Rajoy has put many reforms in place and has been doing a very good job about trying to normalize that particular

issue in Spain. As a matter of fact, he has just put 22 new initiatives in place in April to help promote business and increase employment and jobs in Spain.

What I would like to do using my experience and involved with the TTIP is basically to use my international and global experience to build businesses and develop an opportunity to bring my skills to the Spanish people and grow our international businesses on both sides of the Atlantic.

So my focus will be purely on economics at this point and using TTIP as the tool to do that.

I plan on using public diplomacy to help promote that when I am in Spain. At HBO, one of my major initiatives is in charge of global communications, and I am responsible for promoting the best of what America has to offer. And I will do the same on both sides. And I hope that with my relations that I have with the business community here and working as well with the U.S. Spanish Council, I will be able to increase our relations and our business relationships, including investment in trade in Spain.

Senator JOHNSON. Thank you.

Ms. Campbell Bauer.

Ms. CAMPBELL BAUER Thank you, Senator.

I am happy to say we have an excellent relationship with Belgium. They are some of our strongest partners on many issues. So a primary focus for me will be just continuing to build on that.

We also have an excellent team in place in Brussels with whom I will be working. I really view my role in that as being additive, because they are wonderful professionals. And I hope to bring a fresh perspective, some leadership skills, and a strong network in business to that effort.

And then we will work to promote key values that we share. Also to focus on TTIP, which everyone has mentioned, and is, of course, incredibly important, but also to focus more broadly on how to expand the business relationship between the United States and Belgium.

One of the things that I consider—and I need to explore this more, of course, with your committee and also with the people in Belgium—is really focusing on tourism and expanding that as an opportunity for economic growth, but also for public diplomacy, so it will be a very efficient use of our time to focus on both those things.

And, of course, I will be focusing on security, both for U.S. citizens in Belgium and also strengthening our international partnerships to assure security throughout the world.

Senator JOHNSON. Thank you.

Ms. CAMPBELL BAUER Thank you, sir.

Senator JOHNSON. Mr. Gifford.

Mr. GIFFORD. Thank you, Senator. Thank you very much for the question. And, if you will allow me, I would like to get in two, if possible.

The first one, and at the risk of sounding redundant, is economic statecraft. Frankly, Denmark has vocally supported TTIP, and the TTIP negotiations that have just begun. They are a nation built on trade.

As I have said to some of my friends, the translation of Copenhagen, literally, is “merchant’s harbor.” They produce phenomenal products. They are an export-driven nation, and they do need to import raw materials in order to produce the products that they do have.

So TTIP is actually critically important for them. And we will be working together, over the course of the next several months, to ensure that we do get a deal there.

In addition to that, we just cannot overlook the military coordination between Denmark and the United States. They have been a stalwart ally. They have fought alongside U.S. troops in Iraq, in Afghanistan, in Libya, in Kosovo. They are currently off the Horn of Africa fighting piracy.

And the continued coordination from a military standpoint will be a significant issue for me as well.

Senator JOHNSON. Thank you.

Mr. Emerson.

Mr. EMERSON. Thanks, Senator.

I would have to agree with my cohorts here that getting the eurozone on a stable economic footing for the long term will be an absolute top priority not only for the United States, but for Germany. The U.S.-EU relationship is the largest economic relationship in the world. Germany is our fifth-largest trading partner. Germany companies employ over half a million U.S. workers.

And not only is it critical to the United States but also to Germany that we get the EU on a stable growth trajectory—I mean, I am sorry, the eurozone on a stable growth trajectory. And I know that they will be a very important ally and partner to us in that effort.

Senator JOHNSON. Thank you.

Mr. Pearce.

Ambassador PEARCE Thank you, Senator.

The economic crisis in Greece, its effort to get on the path to recovery and reform. And I would add, too, that defense cooperation is very important.

Senator JOHNSON. OK. So we all mentioned economic cooperation. That actually sets up my next question, starting left to right.

In terms of trade talks, what is going to be the most difficult issue between the United States and the country that you are going to be representing?

Mr. COSTOS. Senator, thank you for the question. In my knowledge at this point, we have not had any difficulties that we have heard from Spain at this point. I have been briefed on several different aspects of the TTIP and the Spanish relationship with the EU. And there has not been anything that particularly has come up, except for geographical issues, and there is something that we had talked about in your office at one point, related to Serrano ham and cheese from Spain.

So talking about those particular names could be a potential issue. However, nothing else at this point has actually come to my attention that could be problematic with the TTIP negotiations in Spain, sir.

Senator JOHNSON. Let us hope it stays that way.

Mr. COSTOS. Thank you very much.

Senator JOHNSON. Ms. Campbell Bauer.

Ms. CAMPBELL BAUER Thank you, Senator. I think we are going to have a good relationship with Belgium. It is a continuing dialogue and a negotiation. So Belgium stands to benefit significantly with the trade agreement through TTIP. As a gateway to Europe, it is particularly important to them, and the amount of trade we do is significant.

At this point, I think it is the beginning of a dialogue, so I will work to encourage them to cooperate and work progressively, and consult back with Washington as often as possible, should I be confirmed.

Senator JOHNSON. OK. Mr. Gifford.

Mr. GIFFORD. Thank you, Senator. Similar to my colleagues here, we have not yet seen any real stumbling blocks with the Danes. I believe that my role, if confirmed as Ambassador, would be to try to get a sense of what is going on, on the ground, and if there are issues that do arise in the coming months, to report back to this committee and the folks at USTR the issues that may be percolating. But, as of right now, we do not see any.

Senator JOHNSON. Well, it sounds pretty good so far.

Mr. EMERSON.

Mr. EMERSON. Thank you, Senator.

Senator JOHNSON. Smooth sailing, this seems to be a slam-dunk.

Mr. EMERSON. I think the good news about Germany is that it has been a huge proponent of TTIP, actually, for a number of years now. And I think my challenge and our challenge will be much more in working with Germany to help work through some issues that may come up from other places in the course of the negotiations through the EU process. And I know Germany will be a strong ally in that regard.

Senator JOHNSON. OK. Great.

Mr. Pearce.

Ambassador PEARCE Senator, I am not aware of a specific issue with regard to Greece. I do know that they—or at least I understand, that they hope it will help them strengthen their exports and also their overall economic recovery effort.

Senator JOHNSON. Well, I really wish you all the success in the world, trying to really solidify those economic relationships. And with that, I will turn the hearing over to the capable hands of Senator Kaine.

Thank you.

Senator KAINE [presiding]. Thank you, Senator Johnson, and forgive us all, you see what we are doing. The bells ring and we have to go vote. So forgive me if I ask a question that was asked while I stepped out.

But just to educate myself on some of the issues that you will be wrestling with in your countries, this is a question that is really kind of directed toward Ms. Bauer and Mr. Gifford.

And, Denise, it is so good to be here with you today and see you as well.

You know, one of the issues we are always wrestling with in this country is the wonderful diversity issues that we have and how to put this Nation, the 300-plus million, together and show an example to the world and at the same time manage diverse populations.

And Belgium and Denmark have each had some interesting and challenging diversity issues. Belgium, the language differential between, I guess the Dutch language is Flemish and the French speakers, Dutch-based language Flemish and French speakers, and sort of the division of the country politically has been a consistent issue and seems to have become more challenging.

And so kind of interested in your thoughts on that and especially how the new King and the new government there may help deal with those issues.

And then, Rufus, for you, one of the issues that we in this country have read about in Denmark, is the issue of the treatment of Muslims in the country and some of the tensions there over religious issues in Denmark. And as people who are proud champions of diversity American style, I just would love some insights about both Belgium and Denmark in the way they are wrestling with their own diversity issues.

Ms. CAMPBELL BAUER Thank you, Senator. It is an honor to be before you today.

So Belgium is a strong democracy. With that comes some differences, and there is a linguistic social and economic divide that is one of the greatest challenges that they face internally in domestic policy.

Voters will have a chance to address this next year in their elections. And more recently, the new king, King Philippe, had spoken out not in broad terms, but just to note that diversity is really one of their strengths, much as in the United States. Diversity is our strength. And I think they are addressing that and working through it.

Thank you.

Senator KAINE. Thank you, Denise.

Mr. GIFFORD. Thank you, Senator, for the question very much. Embassy Copenhagen was sort of a pilot within a pilot for a new State Department program which focused on countering violent extremism.

And if she is still here, I would like to acknowledge Ambassador Fulton, who really took it upon herself to invest in this program. She is my predecessor.

Essentially, what this program is, Denmark has certainly acknowledged the fact that there are communities coming in to the country that had not historically been coming in. That has posed a range of issues.

This program, this countering violent extremism program, was a mechanism for the Embassy, for the U.S. Embassy, to go and engage these communities directly to preach what it means to be an American, to explain to the communities out there the sort of Western ideals, including things like freedom of speech, freedom of religion, et cetera, et cetera, et cetera.

I am passionate about continuing these programs, if I am confirmed, at post and look forward to even potentially taking it to the next level.

Senator KAINE. Excellent.

Mr. GIFFORD. Thank you, sir.

Senator KAINE. Thank you.

Ambassador Pearce, it is a treat to have you here. I know you call Virginia home when you are not traveling so many different places, and I appreciate your service.

I am on the Budget Committee, and we spend a lot of time on the Budget Committee wrestling with, essentially, Keynesian economics—I am not saying that with any source of pride—but Keynesian economics versus sort of austerity economics. And we often hear discussions about Greece and is it an example that we can learn from, is it an aberration that does not really offer any lessons for us.

Less on the economic side but sort of the popular feeling right now, what is happening, sort of on the economics front in Greece, and what is the current attitude both of the government and the populace around sort of austerity? And what is the path toward turning the economy around from a shrinking economy back to a growing one?

Ambassador PEARCE Thanks, that is a great question.

Well, I think the popular attitude is people are very tired of all the economic pain that they have gone through in the last few years. Unemployment is very high, something like 27 percent, I think, generally, and over 50 percent for young people.

Their people have had a tough time. The government for its part has taken some very tough measures. As I said before, it is not easy. But they have made a lot of difficult cuts.

The problem that the government has and that I think people generally see—and they are quite realistic about it, as I understand it—is that they are not done. There is more to do. There is more to do, particularly in the area of structural changes, and that is a lot of lifting.

And it is also tax administration, which is as you know is a tough thing to get a grip on.

They have got to do more in terms of their privatization effort. This is something they have discussed with the European Union.

So this is quite a difficult agenda, but my sense reading it is, although it is hard, people do understand that more is needed. And I think that the hope is that they will be able to get on a path where they are able to do the reforms that are necessary and that that will lead to a better future for the country once they get through it.

I think what gives people pause is not knowing how long it is going to take.

So I think that is the main challenge is the uncertainty. And therefore, I think that our engagement is really important. I think it is really important that Treasury Secretary Lew stopped this past weekend in Athens after the G20 and had meetings with Greek leaders. I think it is very important that the Prime Minister is coming here on August 8.

These things count for a lot, particularly when people are going through a tough period.

Senator Kaine. Thank you. Mr. Emerson, we often read here the kind of bookend phenomenon. We will read stories about Germany and Greece, as we read stories about the eurozone.

And I know you are going to do a very good job because of your background. But it kind of seems to an outside observer, and I am

not a Europeanist, I am more of a Western hemisphere person, an American, Americas person.

But it seems like the challenge for Germany is, from an economic standpoint, that they need to do what is necessary to keep the EU together, but they sort of need to do the minimum necessary to keep the eurozone together because it is politically difficult internal for the German Government to do things that are perceived by their own population as sort of bailouts of other countries.

That is for them to decide, not us. But I am kind of interested in your take now on the sort of German governmental philosophy about, over the course of the next few years, what will they be doing to maintain, improve, reform the eurozone?

Mr. EMERSON. Well, thank you, Senator. You are right, that has received a fair amount of attention in the press, and obviously, we have got an election coming on the 22nd, so it is a little hard to predict what they will be doing in the future.

I would just say this, I think the German approach is actually quite straightforward. No. 1, as largely export-driven economy, it is crucial to Germany that the rest of the eurozone, the eurozone entirely, be on a path toward stability and sustained growth.

And then No. 2, I think there is a belief that has been articulated and acted upon that economic assistance to countries that are in crisis ought to be coupled with commitment to structural reform, and that without that structural reform, a long, sustained period of economic growth would be very, very difficult to attain.

Senator KAINE. Thank you.

And, Mr. Costos, just one quick question for you. As I think about the Spanish challenges, one of the things that I have been troubled by is the youth unemployment rate. You have been in a line of work where you probably think a lot about young people and about communicating with young people, and I just am curious about that issue of the current Spanish economy, and do you have any insights about how the Spanish Government is trying to tackle that?

Mr. COSTOS. Thank you, Senator. I appreciate the question. It is a very important one.

I had mentioned while you were out of the room that youth unemployment for under the age of 25 is over 50 percent and probably more at this point in Spain. And it is a very important issue. And Spain has put together some new initiatives to help focus on youth.

And as I mentioned in my opening statement, it is one of the pillars of what I would like to accomplish, if I am confirmed, when I do get to Spain.

I know Embassy Madrid is working very closely with youth at this point, and the Spanish Government has many initiatives on the ground already to help do exchanges and help to inspire entrepreneurship with youth. And this will be one of my pillars as well, if confirmed.

Senator KAINE. Thank you.

Mr. COSTOS. Thank you, sir.

Senator KAINE. Thank you to the panel.

Thank you, Mr. Chairman.

Senator MURPHY [presiding]. Thank you, Senator Kaine.

We will have a second round that I will at least take advantage of. Let me start with Mr. Gifford.

The Danes have a very aggressive commitment to renewable energy. In fact, I think they are looking at 100 percent renewable energy by 2050. And clearly, with Greenland in their portfolio, they have a greater interest than many others in Europe in trying to see the United States help lead us out of this crisis regarding climate change.

Can you just talk a little bit about the opportunity for you as the next Ambassador to work with the Danes on what I hope is a communal commitment to the issue of climate change? And in particular, how can we learn from some of their very aggressive approaches to grow their economy based on a commitment to renewable energy?

This is a high-tech economy, an economy, that in some ways parts of the United States, want to aspire to, and they clearly have figured out a way to link leadership on the issue of renewable energy to the development of a robust, high-tech, green energy economy.

Mr. GIFFORD. Yes. Well, thank you so much for the question, Senator. And I love the question for exactly what you said. And it is a way that we can do what is right for the world while at the same time investing in things like economic statecraft and investing in trade and investing in new ideas, which is exactly the types of things that I am passionate about, if confirmed.

So the Danes have been a stalwart ally on this issue, as you know. They are leaders internationally. There is a variety of different international treaties. Denmark joined the U.S.-led clean air initiative in 2012, and Secretary Clinton launched the Green Partners for Growth with the Prime Minister of Denmark as well. So I think that there is certainly pieces that we can do from a political standpoint between the two countries in order to address the issues.

But I think what is incredibly exciting is what you said toward the end of your question, which is the economic opportunity. Denmark is the only exporter of energy in Europe. And I think, frankly, most countries around the world have a little to learn about that.

I am excited about the relationship between the smartest minds, as you say, the smartest minds in Denmark that are investing in this sort of technology and this type of research, the next generation of research, and the smartest minds here in Silicon Valley or wherever to try to forge partnerships that can actually, in the end, increase trade between the two countries as well.

And, of course, we do have to think about Greenland within this framework, because the changing Arctic certainly does open up an interesting can of worms as it relates to both the economic issues and opportunities, potentially, as well as security issues and opportunities.

So I am incredibly passionate about focusing on these issues, were I to be confirmed.

Senator MURPHY. Thank you very much, Mr. Gifford.

I sort of ask the same question to both Ms. Bauer and Mr. Costos. We are going to undergo a very difficult conversation about

the future of NATO over the course of the next several years. There is, first of all, a conversation as to whether this remains a truly values-based alliance or whether it is just going to become an operational alliance in which we get together when we all align with regard to our security interests.

And of course, we have to have a different conversation about NATO because the world has changed and the reason for its existence to a certain extent no longer exists. But part of the reason we have to have the conversation is because today the United States is picking up about 75 percent of the tab. Some of that is due to the operations in Afghanistan, but some of that is due to the fact the defense budgets of European countries are declining.

And the Belgians and the Spaniards are poster children for this issue, I think. Today, the Spaniards are spending about 0.8 percent of their GDP on defense. Belgians are talking about massive cuts to defense.

And of course, we are asking all of our allies there to be spending at least 2 percent of their GDP. I think all but two or three countries fall below that mark, so they are not in rare company. But it clearly is going to be an issue that will come to a head as we have a bigger discussion about how we reformulate NATO.

I will start with you, Mr. Costos, because we have a very strong military partnership with Spain, access to their naval bases. But this is a tough conversation we have to have with them.

And I will pose the same question to you, Ms. Bauer, about how we encourage the Belgians to not balance their budget on the backs of a military budget that we rely on for our operations in NATO.

Mr. COSTOS. Thank you, Senator. I appreciate the question.

I would like to start off by sort of talking about Spain in terms of its support already, in terms of its military presence. As you mentioned, Rota in Spain have opened up their bases to American troops. We have 500 marines in Moron and Rota has allowed us to have four Aegis destroyers who will be stationed off the coast in 2014 to protect American interests in the region.

In Afghanistan, Spain has also been supportive since 2002. They have spent roughly \$263 million in support. They committed 1,500 troops at the beginning of 2002 and have been still at this point have about 500 there that are committed until after 2014, in terms of a commitment and investment, as well as troops who will remain for reconstruction and peacekeeping.

I know, at this point, they are not living up to the 2 percent of GDP. They are at, I believe, 0.7 percent at this point. They are having very difficult economic times. That is no excuse for them not committing to and carrying the burden share of what other members of NATO are doing.

If I am confirmed, it is a very difficult conversation issue, as you said, to have, but it must be had. And I will have that conversation with our Spanish partners, at the same as thanking them for their support. We need to keep them and get them up to speed to engage at the limit that we have set, which is, as you have said, at 2 percent.

So if confirmed, I will do my best to have those conversations, and I will continue to urge Spain to contribute and share the burden with the rest of NATO.

Thank you.

Ms. CAMPBELL BAUER Thank you, Senator. That is a very important question, and I appreciate being asked.

This is something that I would intend, should I be confirmed, to continue to work on and encourage Belgians to do more.

They are contributing about 1.1 percent of GDP at this point. They are also, I think it is worth nothing, just stalwart partners for us on everything we do, including Afghanistan, Libya, Syria, Mali. They currently have 302 troops still in Afghanistan. And they host NATO as well.

So there are some other intangible things that they bring to the relationship that I think are very, very important. But it is something that I will continue to urge them to do more, as they can. It is tough economic times for everyone, and I will certainly stay in touch with this committee and work hard to encourage that.

Senator MURPHY. Thank you very much, to both of you.

Senator KAINE, any further questions?

Senator KAINE. Just one other thought for Rufus.

One of the things that interests me about Denmark, having done a little bit of economic development work there when I was a Governor, because of this Maersk connection, was that they seemed to be a little bit of an outlier in European countries on some labor policies. There are some European nations that, for example, very difficult for employees to be fired or something like that.

Denmark has kind of had a different attitude, which is it is a much more fluid labor market. But when people lose jobs, there are intensive job retraining programs for them and there may be some retraining and workforce development ideas that I found intriguing in a brief visit there, and we are clearly grappling with that here.

I think we often talk about training as if it is not a college degree, it does not count. But I think more and more, we are waking up to the notion that post-secondary educational programs do not just have to be college, that apprenticeship or other kinds of programs can be very strong.

And I think in all of these countries, I mean, Germany has really been a tremendous country, in terms of apprenticeship programs. And that may be the case in all of your countries, bringing us back some good ideas in that space, because I think we need to make a little bit of a transition from it is all about the college degree to it is all about post-secondary education or training of one kind or another. And I think many of the countries that you'll represent would have some good ideas for us there.

So I just would encourage you to bring good ideas back in that area.

And that is all that I have, Mr. Chairman.

Senator MURPHY. Well, thank you very much, Senator Kaine.

Thank you all for your testimony today. You performed ably. Our hope is to bring votes before the committee next week.

We are going to keep the record open for questions until Friday at noon. To the extent that you do get posed with additional questions, if you could act with alacrity in turning those around back to the committee, that would be much appreciated.

With that, the hearing stands adjourned.

[Whereupon, at 3:53 p.m., the hearing was adjourned.]

**NOMINATIONS OF STEVE LINICK, MATTHEW
BARZUN, LILIANA AYALDE, DAVID HALE,
EVAN RYAN, KIRK WAGAR, DANIEL SEPUL-
VEDA, TERENCE McCULLEY, JAMES SWAN,
JOHN PHILLIPS, KENNETH HACKETT, AND
ALEXA WESNER**

TUESDAY, JULY 30, 2013

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

Hon. Steve A. Linick, of Virginia, to be Inspector General, Department of State
Hon. Matthew Winthrop Barzun, of Kentucky, to be Ambassador to the United Kingdom of Great Britain and Northern Ireland
Hon. David Hale, of New Jersey, to be Ambassador to the Republic of Lebanon
Hon. Liliana Ayalde, of Maryland, to be Ambassador to the Federative Republic of Brazil
Evan Ryan, of Virginia, to be Assistant Secretary of State for Educational and Cultural Affairs
Kirk W.B. Wagar, of Florida, to be Ambassador to the Republic of Singapore
Daniel A. Sepulveda, of Florida, for the rank of Ambassador during his tenure of Service as Deputy Assistant Secretary of State for International Communications and Information Policy in the Bureau of Economic, Energy, and Business Affairs and U.S. Coordinator for International Communications and Information Policy
Hon. Terence Patrick McCulley, of Washington, to be Ambassador to the Republic of Cote d'Ivoire
James C. Swan, of California, to be Ambassador to the Democratic Republic of the Congo
John R. Phillips, of the District of Columbia, to be Ambassador to the Italian Republic, and to serve concurrently and without additional compensation as Ambassador to the Republic of San Marino
Hon. Kenneth Francis Hackett, of Maryland, to be Ambassador to the Holy See
Alexa Lange Wesner, of Texas, to be Ambassador to the Republic of Austria

The committee met, pursuant to notice, at 2:30 p.m., in room SD-419, Dirksen Senate Office Building, Hon. Robert Menendez (chairman of the committee) presiding.

Present: Senators Menendez, Cardin, Shaheen, Coons, Murphy, Kaine, Markey, Corker, Risch, and Flake.

**OPENING STATEMENT OF HON. ROBERT MENENDEZ,
U.S. SENATOR FROM NEW JERSEY**

The CHAIRMAN. Moving to the nomination hearing, thank you all for joining us on the business meeting today.

Today, as we approach the August recess, we have a plethora of well-qualified nominees for the committee's consideration before us. We welcome them to the Senate, as well as their family members who are joining us today to offer their support. We recognize that an obligation that is taken on by one of our ambassadors, really is an obligation by family, and we understand the sacrifices involved and we appreciate and applaud all of our nominees and their families who are willing to serve their country.

Before we begin, let me say I hope we can expedite the process which too often can be long and fraught with delay, as you well know. I would urge my colleagues on the committee to submit any additional questions for our nominees to the committee by this evening, and I urge our nominees to return their answers in writing as quickly as possible.

I want to thank Senators Kaine and Markey who will be taking the gavel for panels 3 and 4, and I want to thank Senator Corker again and his staff for working on this process so diligently with me, including reviewing files, meeting with nominees, and making the time to hold this hearing during a very busy week. But I believe our efforts are crucial to filling critical posts in a timely manner.

Before I introduce the first of two panels, let me turn to Senator Corker for his comments.

**STATEMENT OF HON. BOB CORKER,
U.S. SENATOR FROM TENNESSEE**

Senator CORKER. I look forward to this process continuing today. Again, I know much of the paperwork has just come in recently, and I know in this particular case, it has been 2,022 days since we have had an inspector general nomination. So I am glad that you are here. I look forward to your testimony and I want to thank all the members of this committee for participating in this especially today so we can hopefully move many of these out by week's end, if there are no objections.

The CHAIRMAN. Thank you, Senator Corker.

We will start with our first panel. I and others have been deeply concerned that the Department of State has been operating without a permanent inspector general since 2008. Inspectors general plays a crucial role in identifying ineffective programs, process weaknesses, wasteful spending that undermine public confidence in Government. A permanent State IG is essential for the proper functioning of the Department.

I am, therefore, pleased that the administration has nominated Steven Linick as the inspector general for the Department of State.

He is a highly qualified nominee who can function independently and objectively. He is currently the IG for the Federal Housing Finance Agency. He has previously served as an Assistant United States Attorney and as the Deputy Chief of the Fraud Section of the Department of Justice's Criminal Division. In other words, just the sort of qualifications that one wants from the State Department inspector general.

With that, Senator Corker.

Senator CORKER. Yes. This is a critically important post, something that both of us have been pushing for, and I am glad the State Department finally has made this nomination.

Obviously, the safety of our Foreign Service officers is something that has become of even greater focus to all of us with recent events, and I know that one of the roles that you all have is to ensure that there is integrity in what we are doing in that regard.

So I thank you for being here. I think it is incredibly important, with all the moving parts that we have at the State Department, to have a functioning and strong inspector general, and I look forward to your testimony.

The CHAIRMAN. Thank you.

With that, Mr. Linick, we will ask you to make your statement. We would ask you to synthesize your statement in about 5 minutes or so. Your full statement will be entered into the record, without objection. And the floor is yours.

**STATEMENT OF HON. STEVE A. LINICK, OF VIRGINIA,
TO BE INSPECTOR GENERAL, DEPARTMENT OF STATE**

Mr. LINICK. Chairman Menendez, Ranking Member Corker, and members of this committee, thank you for this opportunity to appear before you today.

I am honored to be President Obama's nominee for Inspector General of the U.S. Department of State. This is the second time President Obama has nominated me to serve the Nation, as I was confirmed by the Senate in late 2010 to serve as the first inspector general of the Federal Housing Finance Agency, FHFA, the agency responsible for overseeing Fannie Mae, Freddie Mac, and the Federal Home Loan Banks.

Before I begin my official testimony, I would like to introduce my wife, Mary; my son, Zackary; my daughter, Sarah; my mother, Madeleine; and family friend, Robert King, who are here supporting me today.

By way of background, most of my professional life has been devoted to public service. Shortly after graduating from the Georgetown University Law Center, I joined the Philadelphia District Attorney's Office as an assistant district attorney. In 1994, I became a Federal prosecutor and, over the next 16 years, worked with various components of the U.S. Department of Justice, including two U.S. attorney's offices. Since October of 2010, I have served as the inspector general of FHFA.

I believe my professional experiences make me well suited to serve as the Inspector General of Department of State. As a former Federal prosecutor, I have a strong and successful background in combating fraud, waste, and abuse in Government programs at home and abroad. Notably, while at the Department of Justice, I

served for 4 years as the Executive Director of the National Procurement Fraud Task Force. During that time, I supervised the investigation and prosecution of individuals and companies for contract fraud and corruption related to the wars and reconstruction efforts in Iraq and Afghanistan. I worked closely with officials from the Special Inspectors General for Iraq and Afghanistan Reconstruction, plus the offices of the inspectors general from the Department of State, the Department of Defense, and the U.S. Agency for International Development.

In addition, my service as the FHFA inspector general demonstrates that I have the skill, judgment, and experience necessary to manage a large Office of Inspector General, an independently overseen agency with significant program responsibilities and financial resources. In this role, I have gained a deep appreciation for the critical mission of inspectors general within Federal Government agencies, as well as the importance of conducting vigorous, independent, objective oversight.

As FHFA's first inspector general, I was responsible for building an organization from the ground up, including hiring approximately 140 professionals. My Office's oversight responsibilities for Fannie Mae and Freddie Mac, which have received approximately \$187 billion to keep them solvent—this is taxpayer money. From the outset of the Office's formation, I employed innovative strategies to maximize results, including collaborating with inspectors general to leverage resources and benefit from best practices.

To date, my team has published approximately 50 reports and numerous management alerts on critical topics affecting the U.S. housing crisis. We have made recommendations that are expected to produce at least \$2 billion in added recoveries. Additionally, we have initiated or participated in many criminal and civil investigations relating to mortgage fraud that have resulted in significant indictments and convictions.

It has been an honor to serve as the inspector general of FHFA, and I am very proud of my Office's accomplishments.

If confirmed, I commit to bring the same leadership, energy, vision, and independence to the Office of Inspector General for the State Department. From a strategic and leadership perspective, I understand that the responsibilities of the position to which I have been confirmed are great. If confirmed, I will ensure that the Department of State Office of Inspector General is an independent, objective organization that provides robust oversight, transparency, and accountability to the programs and operations of the Department of State.

I will maintain close relationships with Congress, including this committee and other committees of jurisdiction.

I will develop effective working relationships with State Department management.

I am honored to be considered for this important position, and I look forward to answering your questions.

Thank you.

[The prepared statement of Mr. Linick follows:]

PREPARED STATEMENT OF HON. STEVE A. LINICK

Chairman Menendez, Ranking Member Corker, and members of the committee, thank you for this opportunity to appear before you today. I am honored to be President Obama's nominee for Inspector General of the U.S. Department of State. This is the second time President Obama has nominated me to serve the Nation, as I was confirmed by the Senate in late 2010 to serve as the first Inspector General of the Federal Housing Finance Agency, the agency responsible for overseeing Fannie Mae, Freddie Mac, and the Federal Home Loan Banks.

Before I begin my official testimony, I would like to introduce my wife, Mary, my son, Zackary, and my daughter, Sarah, who are here with me today.

Most of my professional life has been devoted to public service. Soon after graduating from Georgetown University, I spent about 8 months in Burkina Faso working on international development issues for Africare, a nongovernmental organization. Shortly after graduating from Georgetown University Law Center, I worked in the Philadelphia District Attorney's Office. I then became a federal prosecutor and, for the next 16 years, worked within various components of the Department of Justice, including two United States Attorney's Offices (in Los Angeles, CA, and in Alexandria, VA) and here in Washington (in the Criminal Division, Fraud Section).

I believe my professional experiences make me well suited to serve as Inspector General of the Department of State. As a former federal prosecutor, I have a strong and successful background in combating fraud, waste, and abuse in both U.S. domestic and overseas programs. Furthermore, I have the skill, judgment, and experience necessary to manage a large office of inspector general and independently oversee an agency with significant program responsibilities and financial resources.

Having served as the FHFA Inspector General for more than 2½ years, I gained a deep appreciation for the critical role played by inspectors general within federal government agencies. It has also highlighted for me the importance of conducting vigorous, independent, and objective oversight.

As FHFA's first Inspector General, I was responsible for designing and building an organization from the ground up. I recruited and hired seasoned professionals with backgrounds in housing, finance, investigations, and auditing to staff critical operational offices, including an Office of Administration, Office of Audits, Office of Investigations, Office of Evaluations, and an Office of General Counsel.

From the outset of the Office's formation, I employed innovative strategies to maximize results, including collaborating with inspectors general and law enforcement agencies that have shared interests and goals to leverage resources and benefit from best practices. For example, I staffed the Office of Investigations with highly experienced former prosecutors to investigate and prosecute FHFA-OIG cases in U.S. Attorney's Offices across the Nation. I also spearheaded an initiative among the federal inspectors general with oversight of housing programs to address collaboratively housing crisis issues.

To date, my Office has published approximately 50 reports and numerous management alerts on critical topics affecting many aspects of the U.S. housing crisis. We have made recommendations that are expected to produce at least \$2 billion in added recoveries, and potentially more. Additionally, we initiated or participated in multiple criminal and civil investigations relating to mortgage fraud that have resulted in many indictments and convictions.

If confirmed as Inspector General of the Department of State, I commit to bringing the same energy, vision, innovation, independence and leadership to that Office.

Additionally, as a former federal prosecutor with substantial white-collar and government fraud experience, I managed and coordinated complex grand jury investigations and prosecutions involving a variety of criminal cases, including procurement fraud and public corruption in Iraq and Afghanistan. I also participated as an instructor in overseas programs sponsored by the Department of Justice and other agencies in Uganda, Mozambique, United Arab Emirates, and Mali, where I taught topics such as money laundering, public corruption, contract fraud, and financial crimes.

Notably, I served for four years as the Executive Director of the National Procurement Fraud Task Force. That group was led by the Department of Justice and included inspectors general from numerous federal agencies. Under my watch, the Task Force investigated and prosecuted individuals and companies for corruption and fraud related to contracts and grants, with a special emphasis on overseas programs focused on the conflicts and reconstruction efforts in Iraq and Afghanistan. In that regard, I worked very closely with officials from the Special Inspectors General for Iraq (SIGIR) and Afghanistan Reconstruction (SIGAR), plus the Offices of Inspectors General from the Department of State, the Department of Defense, and the U.S. Agency for International Development.

From a strategic and leadership perspective, I understand that the responsibilities of the position to which I have been nominated are great. Based on the significant issues facing the Department of State, it is clear to me that assuming the leadership role of Inspector General will be challenging and rewarding. I look forward to this task, if confirmed.

If confirmed, I pledge to:

- Ensure that the Department of State Office of Inspector General (OIG) is an independent and objective organization that provides timely, robust, fact-based oversight, transparency, and accountability to the programs and operations of the Department of State;
- Consult stakeholders regularly (including the Government Accountability Office and affected communities);
- Efficiently and effectively deploy OIG resources to those areas that present the highest risk to the Department of State;
- Collaborate with other inspectors general who have potentially overlapping interests, jurisdiction, and programs;
- Ensure whistleblowers have a safe forum to voice grievances and are protected from retaliation; and
- Aggressively protect taxpayer funds against fraud, waste, and abuse.

I am honored to be considered for this important position and look forward to answering your questions. Thank you.

The CHAIRMAN. Well, thank you very much for your testimony.

Let me start off with this position has been vacant since January 2008, the longest unfilled position among the inspectors general across the Federal Departments. Based on your experience as a confirmed inspector general in your present position, what effect do you think that a vacancy of that length may have created at the Department of State?

And I heard your commitment to independence. How will you assure the independence of State OIG, if confirmed, upon assuming the position?

Mr. LINICK. Senator, thank you for that question.

I recognize there has been a longstanding vacancy. Clearly, it is one of the challenges that I face at the State Department. I do not know what impact that has had on the OIG, and one of my first goals would be to roll up my sleeves, go into the office, if confirmed, and find out where there are gaps in oversight or problems in the Office and look for solutions.

In terms of independence, I have been very independent at the FHFA OIG, and I would certainly employ the same strategy at the Department of State Office of Inspector General. For me, this means telling the truth, even if it is unpleasant; promoting transparency; resisting any interference; pursuing investigations wherever the facts may lead; protecting whistleblowers to make sure they have a safe forum for expressing grievances; and ensuring there are high standards for audits, investigations, and inspections.

The CHAIRMAN. Let me ask you, if you are confirmed, what is your thinking on how you will work—inevitably your audits will produce some understanding, some recommendations, some legitimate concerns about the operations of the Department within the context of your purview of your work. How will you work with the Secretary of State and other senior Department officials to ensure that recommendations made by you are implemented?

Mr. LINICK. There is a process that I employ at FHFA OIG. It is a process that all inspectors general employ, starting with making the recommendations; informing Congress about those recommendations; following up on those recommendations; doing addi-

tional reports to ensure compliance with those recommendations. If I had a problem with implementation of recommendations, I would certainly not hesitate to take it up with the Secretary and also discuss it with Congress.

The CHAIRMAN. Can we get your commitment to that as part of that process, since this is the committee of oversight and jurisdiction, that you will bring to our attention those issues that you are having a problem getting implemented?

Mr. LINICK. You have my commitment. I am very close with the Senate Banking Committee and other committees of jurisdiction at FHFA OIG and routinely debrief both Senate and House bipartisan on events and activities at the OIG and at the agency.

The CHAIRMAN. And then finally, under the Foreign Affairs Act of 1980, each State Department post or mission is supposed to be inspected by the OIG at least once every 5 years. There are about 85 posts and bureaus that have not been inspected in the past 5 years, and Congress has had to grant the Department a waiver to this requirement. What do you believe, upon your confirmation, can be done to remedy the situation?

Mr. LINICK. I am aware of the statutory requirement for inspections. One of my first tasks will be to look at the resources allocated to inspections, audits, investigations and determine where OIG priorities are. I am very interested in working with this committee, if confirmed, to understand the committee's perspectives on the need for inspections of various embassies.

The CHAIRMAN. I am going to turn to Senator Corker.

Senator CORKER. Thank you, Mr. Chairman.

I know you are aware of the challenges that GAO has laid out regarding the lack of using appropriate accounting standards, if you will, at the State Department. And I guess you understand that there may be some personnel changes or other kind of practices that need to be changed. I do not know anything specifically in that regard, but are you willing to do whatever is necessary to bring the State Department into using appropriate accounting standards there as they are dealing with these issues?

Mr. LINICK. I absolutely am. I believe that those standards are important for the integrity of the Office of Inspector General for its credibility, and one of my first tasks, if confirmed, is to take a look at the GAO issues, the independence issues. It is concerning to me. I have not formed a conclusion yet. It is something I would certainly want to understand better, consult with staff, and view the terrain.

Senator CORKER. One of the other issues that has occurred within the Office of Inspector General is there has been a tremendous amount of turnover. So there is a lack of what you might call institutional knowledge and the ability to really have the background to delve into issues in an appropriate way. I assume that you would address that issue also if confirmed.

Mr. LINICK. Yes. That is something else I would address.

Senator CORKER. And I guess there is an opportunity to make better use of contracting within the State Department. That has been definitely pointed out. Obviously, that will be a major responsibility of yours, and I assume, if confirmed, you will do everything you can to demonstrate to the State Department better ways of

contracting and getting value for taxpayers and what they are doing.

Mr. LINICK. I certainly will, Senator.

Senator CORKER. And I assume the same thing relating to—I guess you have a background that I guess equips you to help with all acquisition activities there, and I assume that you will use that background that you talked about earlier to help the State Department in all of its acquisition activities.

Mr. LINICK. Yes. My background has prepared me for that.

Senator CORKER. I appreciate the in-depth meeting you had with our staff. I appreciate your willingness to serve in this way, and I look forward to your confirmation.

Mr. LINICK. Thank you.

The CHAIRMAN. Thank you.

Senator Shaheen.

Senator SHAHEEN. Thank you, Mr. Chairman and Senator Corker. I very much appreciate both of your attention to getting the appointment of an inspector general for the Department of State. As you both pointed out, it has been a very long time, and so we are very pleased, Mr. Linick, that you have been willing to take on this task. Obviously, the challenge is tremendous. And I think as the American taxpayers' eyes and ears inside Federal agencies, that inspectors general provide really important oversight that is of benefit not only to Congress and the administration but also to the agencies themselves. So thank you for your willingness to serve.

As you know, one of the challenges that all of Government is facing right now at the Federal level are the impacts from sequestration, those automatic cuts that have gone into effect. I wonder if you can talk about how this factors into the job, if you are confirmed, and how it will affect your priorities as you go into State.

Mr. LINICK. Certainly sequestration will impact the role of the OIG. I am not there yet so I do not know exactly what the resources look like, but if confirmed, that would be my first task is to explore the various management challenges and how resources are allocated to those management challenges.

At the end of the day, it is all about prioritization, as you said, and it is about strategic planning and planning audits and evaluations in a way which targets the highest risk areas. And that is what I do at FHFA OIG. We have a very rigorous strategic planning process, and we try to do our best to maximize, to leverage our resources without expending too much money.

Senator SHAHEEN. And can you talk about who is involved in that planning process? So as you think about putting together that kind of plan at State, who should be involved in those discussions?

Mr. LINICK. At OIG at the State Department, if confirmed, I would talk with all stakeholders, the State Department itself. Hopefully this committee would be willing to talk as well and to provide perspectives. GAO and other stakeholders and, of course, consulting with OIG staff about this.

At the OIG at FHFA, we have a working group that is comprised of various division representatives from audits and evaluations and other offices, and we get together and take all the information that we have culled from the various stakeholders and inventory everything. And then what we do is we categorize them into buckets

based on their risk factor, and then we come down with a list of, you know, "must to-do's." And that is how we do it, and I would employ the same approach at the State Department OIG if confirmed.

Senator SHAHEEN. Thank you. And I hope you will commit to continuing to work with this committee as you are going through that process and reporting to us so that we will have some sense of what you are doing as well.

Mr. LINICK. I would look forward to that.

Senator SHAHEEN. Thank you.

The Special Inspector General for Afghan Reconstruction reported on July 26 that the State Department has provided inadequate oversight of a \$50 million rule-of-law training contract being implemented in Afghanistan by an Italian NGO.

I wonder, as Senator Corker raised, contract management and oversight continues to be an issue, not just within State but throughout the Federal Government. If confirmed, what more can you do to ensure that contracts are prepared with effective oversight requirements and conditions that ensure they are more successful as they are being implemented and more cost effective?

Mr. LINICK. This is clearly an area that has been identified as a management challenge. The State Department, from what I can tell, is spending a lot of money on contracting. This is an area with which I am familiar having worked as the director of the National Procurement Fraud Task Force. Contingency contracting especially is very risky. In my experience, oversight is an afterthought because everybody wants to get the money out the door, and we all know that—and the story that we have heard from the SIGAR is an old story, unfortunately, as far back as I can remember. I have heard similar stories with lack of oversight.

If confirmed, I would certainly bring my experience to bear and look very closely at the controls that the State Department has to oversee these contracts.

Senator SHAHEEN. Thank you.

One of the other issues that has been in the news recently is an IG audit report that the Bureau of International Information Programs has spent about \$630,000 on two campaigns to raise the number of fans that it has on its Facebook page. And the critics have suggested that this is not a good use of funds, and while I understand that the IIP has since agreed with some of the State IG recommendations—can you talk about how your role as IG, if you are confirmed, could be employed in helping agencies not to get into this kind of situation where money is being spent on issues that are not necessarily the direct mission for those agencies and where they should be focusing funds?

Mr. LINICK. That is a fundamental role for an inspector general to protect taxpayers against fraud, waste, and abuse, and that is something that we do at FHFA OIG through trying to employ cost savings, provide recommendations to the agency, to suggest ways to minimize costs.

I am familiar with this particular incident. I understand public diplomacy is one of the management challenges identified by the inspector general, and this is something that I would focus on if confirmed as well.

Senator SHAHEEN. I guess I am asking a little bit different question and that is how do you look at the mission of an agency within the Department and determine—or do you see that as being part of your role as you are looking how money is spent?

Mr. LINICK. I do. If there are articulated standards or articulated policies that consist of the mission and those policies are not being met, it is within the IG's mandate to review how the implementation of that mission, whether or not the end result complies with that mission. So that would be part of the OIG role.

Senator SHAHEEN. Thank you.

Thank you, Mr. Chairman.

The CHAIRMAN. Senator Murphy.

Senator MURPHY. Thank you, Mr. Chairman.

Mr. Linick, thank you very much for your willingness to serve in this position and coming before the committee today.

With the expected closure of the Special Inspector General for Iraq Reconstruction, your office is going to now have new responsibilities. You are obviously going to continue to do oversight on State Department operations there, but you are also going to be taking over oversight for our civilian assistance programs. And I understand the budget calls for some additional new positions to cover that responsibility, I think about five people.

But can you talk a little bit about how you are going to split your time and your Office's time between overseeing what is still an enormous State Department presence there, along with the civilian assistance programming that was previously overseen by SIGIR?

Mr. LINICK. That is something that I would explore once I am there, if I am confirmed. I am not able to tell you what the allocation would be from this vantage point because I am outside of it. So prioritization and making sure resources are allocated would be first priority.

But I think the issue of Iraq and the transition coming in Afghanistan are obviously going to put enormous responsibilities on the State Department in Iraq that it already has in supporting the civilian presence. There is more spending on housing and medical and all these other things that are attendant to supporting the civilian presence. It has been identified as a management challenge, at least the transition in Afghanistan, and this is something that I would take a close look at and work closely with the SIGAR and the SIGIR as they both sunset. I know that the SIGIR is about to sunset and the SIGAR will at some point in the future. But I would commit to working closely with both of them.

Senator MURPHY. Well, and I hope you will also commit to coming back to us to tell us whether five people is enough to cover what is an enormous new responsibility there.

One other related question. Maybe, again, you have not had the opportunity to really think about this or take a look at it. But during my one trip to Iraq, we were there for the specific purpose to oversee some of the contracting programs, and even with, at the time, tens of thousands of American troops there, we could not get anywhere. We were not allowed to essentially go and see 80 percent of the contracting programs because they were not in areas that were safe for us to travel. And this will be a problem not only in Iraq with your new responsibilities, but in Afghanistan as we

draw down our military presence and certainly, as it is today, in Pakistan.

So to the extent that you have thought about this, one of the challenges that are presented to you in terms of mobility—you are going to need to go and see things in these countries, and yet today in Iraq, and within a year or so in Afghanistan, there just is not going to be the military presence to give your operations cover. This could be problematic if there is not proper security to allow you to go and do the job where you want to do it.

Mr. LINICK. Based on my experience, I know that this is a very difficult issue for oversight because if you cannot do site visits and you cannot get out, if you do not have protection if you are an auditor, for example, you cannot do your job. This is something that I would have to look at. I am not in a position to tell you right now how to solve that problem, but I am aware of the problem. And it costs money, obviously, to protect folks to go out and do oversight of projects and so forth.

Senator MURPHY. Well, you are asking for protection from the very group that you are auditing. Sometimes it obviously presents an obvious conflict, again as you experience perhaps those inherent tensions in asking for major security resources from an organization that you might be in the end critiquing. I hope that you would report back to us as well on those challenges.

Thank you very much, Mr. Chairman.

The CHAIRMAN. Senator Kaine.

Senator KAINE. Thank you, Mr. Chair.

Mr. Linick, thank you for your service and congratulations on your nomination.

Just a couple of items. You might have talked a bit about this but I wanted to delve into a bit more. In your work on the National Procurement Fraud Task Force, to what extent did that involve international procurement issues?

Mr. LINICK. A significant amount of international procurement issues were involved. Part of my job was to coordinate all the war zone prosecutions for the Department of Justice, and I worked very closely with the ICCTF, which is the International Contract Corruption Task Force. It included the State Department IG, the Department of Defense, SIGIR, SIGAR, and I was integrally involved in—

Senator KAINE. USAID?

Mr. LINICK. USAID as well. Sorry for that. USAID as well, FBI. I was very involved in working those cases. I was also the deputy chief of the Fraud Section at that time, and many of those cases were provided to folks in my section. So I supervised a lot of the prosecutions involved in Iraq and Afghanistan, and they involved corruption, bribery, all sorts of contract fraud. So I am very familiar with that.

Senator KAINE. Good.

Mr. LINICK. And I have been to Kabul and Bagram.

Senator KAINE. In that work.

Mr. LINICK. Yes.

Senator KAINE. In late March, the State Department's OIG notified the Department that it was going to start a special review of the accountability review board process in order to determine, I

think, the effectiveness of the whole ARB process, but it also specifically mentioned recommendations regarding the ARB convened in the aftermath of Benghazi. I would love to hear you talk about either how that work is progressing or—you are not there yet—what would be your hope in terms of continuing that work and looking at the accountability review boards and how they can be made most helpful to the Department, also to Congress and the public.

Mr. LINICK. I really have no knowledge of that review. I have not been involved in it. I have not studied the underlying facts. I plan, if confirmed, on taking a hard look at all pending matters. Of course, that is one of the pending matters. I have formed no conclusions or judgment yet. Obviously, once I am able to look at facts and review documents, then I will be in a better position to make an independent determination as to next steps.

Senator KAINE. I have no further questions, Mr. Chair.

The CHAIRMAN. Well, thank you all. Seeing no other members of the committee—again, I remind members that we will have questions open until the close of business today. And if you do get any questions, I would urge you to answer them expeditiously. It would be the chair's desire, working with the ranking member, to have your name up for a business meeting vote on Thursday, but that will depend upon making sure we have answers to any questions that are posed.

With that and with the thanks of the committee, you are excused.

Mr. LINICK. Thank you.

The CHAIRMAN. Thank you.

Let me call up our next panel. And as we have them come forward, I am going to introduce them in the interest of time here.

I am pleased to welcome Matthew Barzun as we consider his nomination to be our next Ambassador to the Court of St. James or, if you prefer, the United Kingdom of Great Britain and Northern Ireland. The United Kingdom is one of our closest allies, and the job of representing the United States in London was first held by John Adams and a succession of remarkable Americans. Matthew Barzun is no stranger to the world of diplomacy, having served successfully as our Ambassador to Sweden in 2009 and 2011, and I am sure that he will represent us well. We welcome you to the committee.

You can all come up.

Mr. David Hale. I welcome David to the committee. He is from the great State of New Jersey. So that gets you past first base here as we consider his nomination to be our next Ambassador to the Republic of Lebanon. While many countries in the Middle East have experienced significant difficulties from Syria's civil war, Lebanon has certainly taken the brunt of the fallout. Currently there are over 600,000 Syrian refugees in Lebanon and the number is expected to surpass 1 million by the end of the year. Mr. Hale is no stranger to Lebanon, having served there twice before, most recently from 1998 to 2001 as the Deputy Chief of Mission and having also served as our Ambassador to Jordan from 2005 to 2008. The chair is confident he is up to the challenge.

Let me welcome Evan Ryan to the committee today who has been nominated to serve as the Assistant Secretary of State for Educational and Cultural Affairs. This is a Bureau that plays an essential role in U.S. public diplomacy by promoting better understanding between the United States and other countries through a variety of partnerships and professional exchanges. Ms. Ryan is qualified for this particular role and has the experience to prove it. She previously served as Assistant to the Vice President, Special Assistant to the President for Intergovernmental Affairs and Public Engagement, and prior to that, she worked as a consultant for the Educational Partnership for Children of Conflict and served as the Deputy Chair for Governance for the Clinton Global Initiative. So we believe that she will make an excellent Assistant Secretary of State in this regard, and I look forward to working with her in the coming years.

And I understand that Ms. Ayalde is stuck in security. So we will hopefully liberate her so that she can be at the hearing here shortly.

With that in the order in which I introduced you, Ambassador Barzun, we will start with you. If you would synthesize your statement in about 5 minutes for each of you, your full statements will all be included in the record, without objection. And we will start with you, Ambassador Barzun.

I see you have been liberated from security. Let me welcome as well Liliana Ayalde, who has been nominated to be our next Ambassador to Brazil. This is an incredibly important bilateral relationship, as well as the role that Brazil increasingly plays in a regional as well as an international context, so much so that President Obama will host President Rousseff for an official visit this coming October. Ms. Ayalde has strong experience in the hemisphere as the Deputy Assistant Secretary of State for the Western Hemisphere, as well as having served in an ambassadorial post in that regard. So we welcome you as well.

Ambassador Barzun, you can start off.

STATEMENT OF HON. MATTHEW WINTHROP BARZUN, OF KENTUCKY, TO BE AMBASSADOR TO THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

Ambassador BARZUN. Mr. Chairman, distinguished members of this committee, it is an honor to appear before you today as the President's nominee to be the next United States Ambassador to the United Kingdom of Great Britain and Northern Ireland. I would like to thank President Obama and Secretary Kerry for placing their confidence in me with this nomination, and I thank you for considering it. If confirmed, I will work every day to nurture and deepen this special relationship.

It is a relationship that has been meaningful to me for as long as I can remember and comes from my own family's connection to England. My 10 times great grandfather was John Winthrop, a Founding Governor of my home State of Massachusetts. His statue is right over there in Statuary Hall.

Back in 1630, John Winthrop left his comfortable life in Suffolk to lead a group of 700 across the Atlantic to New England to build a new life in a place he named Boston. In the middle of that jour-

ney, he gave a sermon. Echoing the Sermon on the Mount, he said, "We must consider that we shall be as a city upon a hill, the eyes of all people are upon us." Those words quoted by Presidents Kennedy and Reagan and so many others have become part of the American DNA.

But it is also fitting that the sermon was delivered between England and America because those words also described the hopes and the expectations shared by so many around the globe for the United States-United Kingdom relationship. As the President and Prime Minister Cameron have said, the United States and the United Kingdom count on each other, and the world counts on our alliance.

That is why we stand with our U.K. ally to advance our common agenda: ensuring our security, delivering economic growth, and safeguarding our shared values. That is the work our two governments are engaged on right now on all topics at all levels. I know there are far too many to list now with my allotted time, but I would like to highlight just three.

First, our work together in Afghanistan where, after us, the United Kingdom is the largest troop contributor to the NATO mission.

Second, our work together on the Transatlantic Trade and Investment Partnership, which the United Kingdom strongly supports.

And third, our work together on every security challenge of our times, whether it is securing a lasting peace in the Middle East, providing humanitarian assistance to Syrian refugees, or calling for Iranian compliance with nonproliferation standards. Progress in these areas and others is only possible if we continue our long history of cooperation.

As we saw in the Boston Marathon and the solidarity shown with Boston at the start of the London Marathon just a week later, it is the nature of our friendship that we always keep moving forward together.

Mr. Chairman, 4 years ago, this committee gave me the opportunity and the honor of serving my country as U.S. Ambassador to Sweden. My wife, Brooke, who is my partner in diplomacy and life, and our three wonderful children are ready, if I am confirmed, to serve again.

Mr. Chairman, members of this distinguished committee, if confirmed, I will serve with deference to this body, to your colleagues in Congress, and to the administration that has nominated me. I will serve with the utmost respect for the time-tested bonds shared by our great nations. I will serve with purpose and with optimism, knowing that the eyes of all people are indeed upon us.

I thank you for your time, and I look forward to your questions. [The prepared statement of Ambassador Barzun follows:]

PREPARED STATEMENT OF HON. MATTHEW WINTHROP BARZUN

Mr. Chairman and distinguished members of the Senate Foreign Relations Committee, it is an honor to appear before you today as the President's nominee to be the next United States Ambassador to the United Kingdom of Great Britain and Northern Ireland. I would like to thank President Obama and Secretary Kerry for placing their confidence in me with this nomination, and I thank you for considering it. If confirmed, I will work every day to nurture and deepen this special relation-

ship and important NATO ally. As the President and Prime Minister Cameron have said, the United States and United Kingdom count on each other, and the world counts on our alliance.

It is an intimate connection as we saw last week when so many Americans shared Britain's excitement about the new prince. And it's a relationship that has been meaningful to me for as long as I can remember.

Part of that meaning stems from my own family's connection to England. My ten-times Great Grandfather was John Winthrop, the first Governor of my home State of Massachusetts (his statue is right over there in Statuary Hall). In 1630, John Winthrop left behind his life in Suffolk county, England, to lead 700 men and women across the Atlantic to New England so they could build a new life in a city he named Boston.

In the midst of that journey he delivered a sermon whose words have inspired Americans ever since. Echoing the Sermon on the Mount, he said, "We must consider that we shall be as a city upon a hill, the eyes of all people are upon us." Quoted by Presidents Kennedy, Reagan, and countless others, these words express an ideal that has become part of America's DNA. But it is fitting that the sermon was delivered while traveling between England and America, because these words also describe the hopes and expectations held by so many around the world for the United States–United Kingdom relationship: "The eyes of all people are upon us."

With this in mind, I come before you today with a tremendous sense of purpose and optimism. This optimism is not based on nostalgia, but on a history of continuing our common purpose, adapted for the times in which we live. I am confident that, working together, our two countries will not only preserve this critical relationship, but will continue to adapt it to a quickly changing world.

I began my professional life in 1993 when I left Boston to join a four-person Internet startup in San Francisco called CNET. The company grew quickly, our success a result of realizing early that the web was different. What didn't work was trying to just "build an audience" the way publishers and producers did. What did work was directly engaging with our users—to build a community.

I met my amazing wife, Brooke, in California. She has since become my partner in diplomacy and in life and we now have three wonderful children. At the height of the Internet boom, we decided to move to her hometown of Louisville, KY, where the daily practice of building a community is as old as the frontier generations. I embraced the city and it embraced me. Even when I am not there, I always try to channel Louisville's spirit of generosity, hospitality, and warmth.

I brought this spirit to Sweden when I served as the U.S. Ambassador there at an important time. During my years there, Sweden held the presidency of the EU, and Wikileaks posed unforeseen challenges to the diplomatic community. Together with our Swedish counterparts, our embassy team built stronger relations on behalf of trade, security and human rights, earning a medal for exemplary diplomatic service in the process.

I look forward to building on this diplomatic success if confirmed as Ambassador to the United Kingdom.

We live in a complex world, and the challenges we face today not only demand strategies that can evolve with the speed of change, but also wisdom and perspective. Standing with our U.K. ally, we must continue to advance our common agenda of ensuring our security, delivering economic growth, and safeguarding our shared values.

That's the work our two governments are engaged on right now—on all topics and at all levels. To list them all would fill my allotted time, but you know them well: (i) our work together in Afghanistan where, after us, the U.K. is the largest troop contributor to the NATO mission; (ii) our work together on the transatlantic trade and investment partnership, which the U.K. strongly supports, (iii) our work together to on every security challenge of our times—whether it is securing a lasting peace in the Middle East, providing humanitarian assistance to Syrian refugees, or calling for Iranian compliance with nonproliferation standards. Together, the United States and the United Kingdom support democracy and freedom across the globe.

Progress in these areas and others is only possible if we continue our long history of cooperation. As we saw in the Boston marathon and the solidarity shown with Boston at the start of the London marathon a week later, it is the nature of our friendship that we always keep moving forward. Together.

What Britain means to us can be summed up in so many ways, but here's one I like that came up in a conversation with our youngest son. When talking about the possibility of moving to London, I mentioned the fabled "special relationship." He asked me what that meant. My first attempts were long and failed. Words like "allies" didn't work. "Historic bilateral bonds" was met with a blank stare. I thought for a while and then said, "We're best friends." That worked.

Mr. Chairman and members of the committee, if confirmed, I will serve with deference to this body, to your colleagues in Congress, and to the administration that has nominated me to be the next steward of this key post. I will serve with the utmost respect for the time-tested bonds shared by our great nations. I will serve with purpose and optimism, knowing that the eyes of all people are upon us.

I thank you for your time and look forward to your questions.

The CHAIRMAN. Thank you very much.
Secretary Ayalde.

**STATEMENT OF HON. LILIANA AYALDE, OF MARYLAND, TO BE
AMBASSADOR TO THE FEDERATIVE REPUBLIC OF BRAZIL**

Ambassador AYALDE. Mr. Chairman and members of the committee, thank you very much for the opportunity to appear before you.

I am extremely honored to be here today as the President's nominee to be the United States Ambassador to the Federative Republic of Brazil. Please allow me to express my deep gratitude to the President and the Secretary of State for the trust and confidence in me as shown through this nomination. Also, please allow me to express my sincere appreciation to the committee as it undertakes its vitally important constitutional role of advice and consent.

With the chairman's permission, I wish to recognize my family and friends and colleagues who have supported me over the years—many of whom are here today. I especially would like to acknowledge my parents, Jaime and Mercedes; my nieces, Bianca, Karina, and Alexa; and my lovely daughters, Stefanie and Natalia. Each knows the joys and sacrifices of public life, and I am grateful for their love and their steady support.

I come before you today as a career member of the United States Foreign Service. I have served my country for 30 years in diplomacy and development, mostly in the Western Hemisphere. As a preteen, I had the privilege of spending 3 years of my life living and learning in Brazil. The impact this vibrant and ambitious country had on me has never really faded. I was impressed by the openness and the spirit of the people and the deep pride Brazilians have in their national heritage.

If confirmed, I would give the highest priority to ensuring the well-being and safety of our mission and that of the American citizens who live and travel in Brazil. In 2012 alone, Brazil received nearly 600,000 tourists from the United States. As the host to the 2014 World Cup and the 2016 Summer Olympics, Brazil will receive even more visitors and attention in the coming years, providing the opportunity to showcase to the world its dynamism and its diversity.

The relationship between the United States and Brazil is strong. We share important values, including a commitment to democracy, the rule of law, human rights, environmental protection, and multilateralism. In recent years, we have made great progress in expanding this relationship, not just on the political and economic levels, but also in the people-to-people exchanges aimed at expanding learning opportunities and promoting innovation.

If confirmed, I will work to consolidate these important gains and allow our relationship to grow by promoting the following three themes.

One, the shared leadership to address global challenges. It is in our interest to work with Brazil to address common challenges such as food security, environmental stewardship, nonproliferation, public health, and the collective defense of democracy and human rights, and the trafficking of drugs, weapons and people. We welcome Brazil's commitment to be a full partner in tackling this global agenda.

Second, partnering to realize our trade and investment potential. Boosting and sustaining economic growth is a key priority for the United States and Brazil. Strengthening the middle classes and expanding interest in a diversified cross-border trade and investment are important shared priorities. If confirmed, I would work to promote mutually beneficial investments between our private sectors to spur innovation, support growth, and create jobs in both of our countries.

And third, building our people-to-people capacity. Our public diplomacy efforts are of vital importance. If confirmed, I would focus on education, tourism, and English language training to increase the Brazilians' exposure to the United States and understanding of United States policies and goals in the region. Brazil's Scientific Mobility program—a fully funded initiative that will send 101,000 Brazilian students to study science—will connect us with Brazil's next generation of entrepreneurial leaders and complements President Obama's 100,000 Strong in the Americas initiative.

Brazil's history has shown that it is not necessary to choose between democracy and economic development. A commitment to democratic institutions and free markets can allow a country to peacefully transform itself into a middle-class society and a global leader. In the process, Brazil has created the opportunity for us to re-imagine our relationship and open the possibility for both countries to construct a new kind of strategic partnership.

If confirmed by the Senate, I look forward to working with the distinguished members of the committee, Congress, and your staff, to achieve the goals of United States policy and foster a relationship with Brazil that is worthy of both our great nations.

Let me once again thank you for inviting me to testify today and I look forward to your questions.

[The prepared statement of Ambassador Ayalde follows:]

PREPARED STATEMENT OF HON. LILIANA AYALDE

Mr. Chairman, and members of the committee, thank you very much for this opportunity to appear before you.

I am extremely honored to be here today, as the President's nominee to be the U.S. Ambassador to the Federative Republic of Brazil. Please allow me to express my deep gratitude to the President and the Secretary of State for the trust and confidence in me as shown through this nomination. Also, please allow me to express my gratitude to the committee as it undertakes its vitally important constitutional role of advice and consent.

With the chairman's permission, I wish to recognize my family, friends, mentors, and colleagues who have supported me over the years—many of whom are here today. I especially would like to acknowledge my parents and my daughters. Each knows the joys and sacrifices of public life, and I am grateful for their love and steady support.

I come before you today as a career member of the United States Foreign Service. I have served my country for 30 years in diplomacy and development, mostly in the Western Hemisphere. As a teenager, I had the privilege of spending 3 years of my life living and learning in Brazil. The impact this vibrant and ambitious country had on me has never faded. I was impressed by the openness and spirit of the peo-

ple, and the deep pride Brazilians have in their national heritage. I recognized in Brazil's racially and ethnically diverse society strong similarities with the United States.

If confirmed, I would give the highest priority to ensuring the well-being and safety of our mission and that of American citizens who live and travel in Brazil. In 2012 alone, Brazil received nearly 600,000 tourists from the United States. As host to the 2014 World Cup and the 2016 Summer Olympics, Brazil will receive even more visitors and attention in the coming years, providing the opportunity to showcase to the world its dynamism and diversity. If confirmed, I will work closely with the Brazilian Government to support its efforts to ensure safe and successful major events.

The relationship between the United States and Brazil is strong. We share important values, including a commitment to democracy, rule of law, human rights, environmental protection, and sustainable development; the desire to see peaceful resolution of disputes between nations; and a commitment to multilateralism. In recent years, we have made great progress in expanding the relationship, not just on the political, economic, energy, and defense levels, but also in people-to-people exchanges aimed at expanding learning opportunities and promoting innovation. Dozens of bilateral dialogues, memoranda of understanding, agreements, working groups, and people-to-people exchanges underpin our broad-based relationship.

If confirmed, I will work to consolidate these important gains and allow our relationship to grow by promoting the following themes:

Shared leadership to address global challenges. Brazil has committed itself to global leadership. The May 2013 selection of Brazilian Ambassador Roberto Azevedo as the World Trade Organization's next director general and Paulo Vannuchi to the Inter-American Commission on Human Rights further illustrates Brazil's growing influence. It is in our interest to work with Brazil to address common challenges, such as food security, environmental stewardship, arable land and fresh water management, nonproliferation, advancement of women and girls, public health, the collective defense of democracy and human rights, and the trafficking of drugs, weapons, and people. Our engagement includes a growing number of innovative trilateral initiatives, and we welcome Brazil's commitment to be full partners in tackling this global agenda. A perfect example of our increased cooperation is the upcoming Global Partnership Dialogue, led by the Secretary of State and his Brazilian counterpart, which deepens our interactions with Brazil on priority strategic challenges.

Partnering to realize our trade and investment potential. Boosting and sustaining economic growth is a key priority for the United States and Brazil. Both of our societies look to their policymakers to advance policies that lead to greater prosperity, equity, and opportunity. Strengthening our middle classes and expanding diversified cross-border trade and investment are important shared priorities. If confirmed, I would work to promote mutually beneficial investment between our private sectors to spur innovation, support growth, and create jobs in both of our countries.

Building our people-to-people capacity. Our public diplomacy efforts are of vital importance. If confirmed, I would focus on education, tourism, and English language training to increase Brazilians' exposure to the United States and understanding of U.S. policies and goals in the region. Brazil's Scientific Mobility program—a fully funded initiative that will send 101,000 Brazilian students to study science, technology, engineering, and math at foreign universities—will connect us with Brazil's next generation of science, technology, and entrepreneurial leaders, provide a huge boost to U.S. colleges and universities, and complements President Obama's 100,000 Strong in the Americas initiative.

If confirmed, I would encourage outreach to Brazil's vibrant community by engaging civil society and strengthening outreach to youth and future leaders in universities, political parties, and business. I will strive to expand our relationship by reaching out to people and regions across Brazil we might not have reached in the past and acquaint Brazilians from all backgrounds with the United States.

Brazil's history has shown that it is not necessary to choose between democracy and economic development. A commitment to democratic institutions and free markets can allow a country to peacefully transform itself into a middle class society and global leader. In the process, Brazil has created the opportunity for us to reimagine our relationship and opened the possibility for both countries to construct a new kind of strategic partnership. This is not to say that Brazil does not have challenges, or that we do not have differences. But we have the mechanisms in place to address these issues constructively, and the points of converging interests far outweigh our differences. The potential for the relationship between Brazil and the United States is as great as our willingness to embrace the opportunities before us, and our goal is to show that we can best achieve our mutual interests through collaboration and cooperation.

If confirmed by the Senate, I look forward to working with the distinguished members of this committee, Congress, and your staffs to achieve the goals of U.S. policy and foster a relationship with Brazil that is worthy of both our great nations.

Let me once again thank you for inviting me to testify today and I look forward to your questions.

The CHAIRMAN. Thank you.
Ambassador Hale.

**STATEMENT OF HON. DAVID HALE, OF NEW JERSEY, TO BE
AMBASSADOR TO THE REPUBLIC OF LEBANON**

Ambassador HALE. Mr. Chairman and members of the committee, I am deeply honored and humbled by the privilege to appear before you today, and by the trust that President Obama and Secretary Kerry have bestowed upon me. If I am confirmed, I look forward to working with the Senate on how best to advance United States interests in Lebanon.

I have had the honor and privilege of serving my country in the Foreign Service since 1984. I have devoted my career to advancing U.S. interests in the Middle East. Lebanon and its people have been a part of my life for decades. I was first assigned to Beirut just after the civil war ended and Lebanon lay in ruins. Years later, I returned as the Deputy Chief of Mission in a brighter time as the country rebuilt.

I learned a lot from the Lebanese people, particularly from their unflagging aspirations and endurance. I was proud to help build partnerships between America and Lebanon as we supported Lebanese efforts to regain true independence, sovereignty, and unity, to restore stability and security throughout the country, to revitalize their economy, and to build strong state institutions accountable to all Lebanese citizens.

This work is incomplete, but furthering that partnership remains a priority for the Obama administration because it is in the U.S. national interest. If confirmed, I will devote myself to working with the Lebanese to advance these common goals.

If confirmed, I will have no higher priority than the safety and security of American personnel, information, and facilities in Lebanon, as well as that of all American citizens there. My overseas career since 1990, including as Ambassador to Jordan, has been at high-threat posts in the Middle East. That experience has taught me to guard against complacency, to minimize risk, and to ensure that we have the resources and practices we need to advance America's business as safely and securely as possible.

The Syria crisis is having a profound effect on Lebanon. The spillover threatens to disrupt Lebanon's progress toward democracy, independence, and prosperity. There are those who would drag Lebanon into the Syrian conflict. Hezbollah is putting its own interests and those of its foreign backers above those of the Lebanese people. Hezbollah's active military support for the Syrian regime contradicts the Baabda Declaration, violates Lebanon's disassociation policy, and risks Lebanon's stability. My mission, if confirmed, will be to do everything possible to support the Lebanese in their policy of disassociation from the Syrian conflict, help them maintain their sovereignty, and ensure that America is helping to meet the humanitarian challenge posed by refugee flows into Lebanon.

Violence is already spilling over. The work of the Lebanese Armed Forces and the Internal Security Forces to protect Lebanon from these consequences reminds us that U.S. security assistance is a pillar of our bilateral relations and clearly in the U.S. national interest. We have worked with these two institutions to fight common terrorist threats. We have a strong commitment to support the Lebanese as they build up these institutions so they can project state authority to all corners of Lebanon. Only with such institutions can Lebanon ever attain stability, sovereignty, and security.

There are over 700,000 refugees from the Syrian conflict in Lebanon, a nation of only 4 million. The strain is great. Our humanitarian aid helps the refugee population, as well as Lebanese host communities, many disadvantaged themselves, with food, shelter, health care, and schooling. If confirmed, I will seek new ways to support Lebanese protection and assistance for those fleeing the terrible violence next door.

Lebanon's banking sector is the backbone of its economy. For the financial sector to continue to attract capital, it must meet international standards on countering money laundering and terrorist financing. If confirmed, I will work with the Lebanese banking community to ensure that it remains a stabilizing force for the economy.

It is now more important than ever to promote Lebanon's democratic traditions. The decision to forgo elections and to extend the current Parliament for nearly 2 years undermines Lebanon's democratic practices. We recognize this is a Lebanese process, but Lebanese political leaders should respect the electoral process and the constitution, crucial bulwarks for Lebanon's democracy.

Finally, Lebanese-American relations are more than a bilateral tie between governments. There is a strong, proud, energetic community of Lebanese Americans who have contributed much to our country. Many of these Americans are committed to the development of their land of origin as well. And I am proud of my ties to a community that has done so much for the United States and for Lebanon.

Mr. Chairman, members of the committee, I thank you again for the opportunity to be here. If I am confirmed, I hope to see you and your staffs soon in Beirut, and I look forward to your questions. Thank you.

[The prepared statement of Ambassador Hale follows:]

PREPARED STATEMENT OF HON. DAVID HALE

Mr. Chairman and members of the committee, I am deeply honored and humbled by the privilege to appear before you today and by the trust that President Obama and Secretary Kerry have bestowed upon me. If I am confirmed, I look forward to working with the Senate on how best to advance U.S. interests in Lebanon.

I have had the honor and privilege of serving my country in the Foreign Service since 1984. I have devoted my career to advancing U.S. interests in the Middle East. Lebanon and its people have been a part of my life for decades. I was first assigned to Beirut just after the civil war ended and Lebanon lay in ruins. Years later, I returned as the Deputy Chief of Mission in a brighter time, as the country rebuilt. I learned a lot from the Lebanese people, particularly from their unflagging endurance and aspirations. I was proud to help build partnerships between America and Lebanon, as we supported Lebanese efforts to regain true independence, sovereignty, and unity, to restore stability and security throughout the country, to revitalize their economy, and to build strong state institutions accountable to all Lebanese citizens. This work is ongoing, and furthering that partnership remains a

priority for the Obama administration, because it is in the U.S. national interest. If confirmed, I will devote myself to working with the Lebanese to advance these common goals.

If confirmed, I will have no higher priority than the safety and security of American personnel, information, and facilities in Lebanon, as well as that of all Americans there. My overseas career since 1990, including as Ambassador to Jordan, has been at high-threat posts in the Middle East. That experience has taught me to guard against complacency, to minimize risk, and to ensure that we have the resources and practices needed to conduct America's business as safely and securely as possible.

The Syria crisis is having a profound effect on Lebanon. The spillover threatens to disrupt Lebanon's progress toward democracy, independence, and prosperity. There are those who would drag Lebanon into the Syrian conflict. Hezbollah is putting its own interests and those of its foreign backers above those of the Lebanese people. Hezbollah's active military support for the Syrian regime contradicts the Baabda Declaration, violates Lebanon's disassociation policy, and risk Lebanon's stability. My mission, if confirmed, will be to do everything possible to support the Lebanese in their policy of disassociation from the Syrian conflict, help them maintain their sovereignty, and ensure that America is helping to meet the humanitarian and economic challenge posed by refugee flows into Lebanon.

Violence is already spilling over. The work of the Lebanese Armed Forces and Internal Security Forces to protect Lebanon from these consequences reminds us that U.S. security assistance is a pillar of our bilateral relations and serves U.S. interests. We work with these two institutions to fight common terrorist threats. We have a strong commitment to support the Lebanese as they build up these institutions so they can project state authority to all corners of Lebanon. Only with such institutions can Lebanon ever attain stability, sovereignty, and security.

There are over 700,000 refugees from the Syrian conflict in Lebanon, a nation of 4 million. The strain is great. Our humanitarian aid helps the refugee population as well as Lebanese host communities, many disadvantaged themselves, with food, shelter, health care, and schooling. If confirmed, I will seek new ways to support Lebanese protection and assistance for those fleeing the terrible violence next door.

Lebanon's banking sector is the backbone of its economy. For the financial sector to continue to attract capital, it must meet international standards on countering money laundering and terror financing. If confirmed, I will work with the Lebanese banking community to ensure that it remains a stabilizing force for the economy.

It is now more important than ever to promote Lebanon's democratic traditions. The decision to forgo elections and extend the current Parliament for nearly 2 years undermines Lebanon's democratic practices and stability. We recognize that this is a Lebanese process. But, Lebanese political leaders should respect the electoral process and the constitution, crucial bulwarks for Lebanon's democracy. These institutions are cherished by the Lebanese people.

Lebanese-American relations are more than a bilateral tie between governments. There is a strong, proud, energetic community of Lebanese-Americans who have contributed much to our country. Many of these Americans are committed to the development of their land of origin as well. I am proud of my ties to a community that has done so much for both the United States and Lebanon.

Mr. Chairman and members of the committee, thank you again for the opportunity to be here. If I am confirmed, I hope to see you and your staff soon in Beirut. I look forward to your questions.

The CHAIRMAN. Thank you very much.
Ms. Ryan.

STATEMENT OF EVAN RYAN, OF VIRGINIA, TO BE ASSISTANT SECRETARY OF STATE FOR EDUCATIONAL AND CULTURAL AFFAIRS

Ms. RYAN. Thank you, Mr. Chairman and members of the committee, for the opportunity to appear before you today.

I will like to thank my parents, Donna and Tony Ryan; my husband, Tony Blinken, for joining me here. I am deeply grateful for their support.

The CHAIRMAN. Let me interrupt you for a moment. We want to welcome Mr. Blinken back to the committee, who was the staff director in the committee at one time and is the Deputy National Se-

curity Advisor. So we are thrilled to see that the world could wait a moment for you to be here with your wife.

Ms. RYAN. I am honored to be considered by the Senate for this important position, and I am grateful for the trust and confidence that President Obama and Secretary Kerry have placed in me with this nomination to be Assistant Secretary of the Bureau of Educational and Cultural Affairs. If confirmed, I look forward to joining the administration's foreign policy team and advancing our country's public diplomacy goals.

The mission of ECA is to increase mutual understanding between the people of the United States and the people of countries around the world through educational and cultural exchanges. International exchanges enjoy broad bipartisan support in Congress. ECA's wide range of programs and initiatives continue to capitalize on American strengths and ideals—the near universal appeal of our education system, our culture and our values, our entrepreneurs and our innovators, our scientists, athletes, and thinkers. ECA is the lifeblood of public diplomacy, establishing the personal relationships that become the foundations of international partnerships.

My background draws me to the position of the Bureau and has prepared me for the considerable responsibilities of Assistant Secretary. For the past 4 years, as the Assistant to Vice President Biden for Public Engagement and Intergovernmental Affairs, my work focused on bringing people together from across America on a broad range of issues. I built and strengthened constituencies and saw the power of shared ideas. If confirmed, I will see that the American people remain at the heart of ECA exchanges.

I have also seen the power of people-to-people exchanges through serving on the board of directors of PeacePlayers International and working with the Education Partnership for Children of Conflict. When you bring people together through areas of mutual interest, you open lines of communication and build trust that is essential for solving long-term challenges. Thanks to the opening made through this sports exchange, children learn that what they have in common far outweighs the differences that divide their communities.

These experiences instilled in me a conviction that through education, culture, and sports, the United States can help defuse conflict, bring people together, and build partnerships to face global challenges.

With citizens increasingly able to shape local and even global events, ECA's mission is more vital now than ever. Annually ECA engages 350,000 exchange participants and is connected with more than 1 million ECA alumni, including 365 who became leaders of their countries, 54 who won Nobel Prizes, and many more who returned to become leaders in their chosen fields. This is the legacy of flagship programs like Fulbright and International Visitor Leadership Program, which was started by Nelson Rockefeller who invited Latin American journalists who came to the United States to learn about freedom of speech and democratic values.

ECA's international program participants get to see America firsthand. ECA is connecting with new audiences from every part

of society and empowering youth, women, minorities, and underserved communities, the world's future problem-solvers.

Equally important is the impact of ECA exchange programs on the United States. When ECA sends Americans abroad, they become ambassadors for our Nation. Through ECA programs, Americans learn about other cultures and gain skills needed to succeed in the global marketplace.

And every day in every State, your constituents demonstrate American values to exchange participants through their hospitality. They open their classrooms, their workplaces, homes, and hearts to people from nearly 190 countries.

By linking Americans together with people from around the world, we can develop lasting relationships and partnerships that overcome political and cultural differences. And there is a tangible benefit too. Last year, international students contributed nearly \$23 billion to the U.S. economy.

If I am confirmed, I will sustain and build on the Bureau's extraordinary record of connecting with youth, women, emerging leaders, and the underserved to address the challenges of today and invest in the future of America's global relationships.

For example, I am committed to engaging youth from every region and background because 65 percent of the world's population is under the age of 30. If confirmed, I am excited to expand ECA programs like the Youth Ambassadors which started in Latin America and promotes mutual understanding and increases leadership skills.

ECA programs are also a bridge to opportunities and alternative narratives for the next generation.

If confirmed, I believe the following are also essential strategic directions for ECA.

No. 1, ensuring ECA programs are aligned with foreign policy priorities.

Two, leveraging technology and new media to connect more people with America such as virtual exchange programs.

Three, investing in long-term relationships with exchange alumni to increase the overall impact of ECA's programs.

And last, increasing opportunities for Americans.

Public diplomacy relies on our country's greatest asset, the American people. When you meet Americans, you meet American values. If confirmed, my focus will be on creating lasting people-to-people relationships that are the foundation of U.S. global engagement.

Thank you very much, and I look forward to answering your questions.

[The prepared statement of Ms. Ryan follows:]

PREPARED STATEMENT OF EVAN RYAN

Thank you, Mr. Chairman, and thank you, Ranking Member Corker, for the opportunity to appear before you today.

I am honored to be considered by the Senate for this important position—and I am grateful for the trust and confidence that President Obama and Secretary Kerry have placed in me with this nomination to be Assistant Secretary of the Bureau of Educational and Cultural Affairs. If confirmed, I look forward to joining the administration's foreign policy team. It would be a privilege to advance our country's public diplomacy goals under the leadership of Secretary Kerry, whose commitment to solving global challenges by bringing people together has been unwavering throughout his career.

The mission of ECA is to increase mutual understanding between the people of the United States and the people of countries around the world through educational and cultural exchanges. International exchanges enjoy broad bipartisan support in Congress. ECA's wide range of programs and initiatives continue to capitalize on American strengths and ideals—the near universal appeal of our education system, our culture and values, our entrepreneurs and innovators, our scientists, athletes, and thinkers. Through these programs, the State Department is building ties to emerging leaders around the world. ECA is the lifeblood of public diplomacy—establishing the personal relationships that become the foundation of international partnerships.

My background draws me to the mission of the Bureau and has prepared me for the considerable responsibilities of Assistant Secretary. For the past 4 years, as the Assistant to Vice President Biden for Public Engagement and Intergovernmental Affairs, my work focused on bringing people together from across America—including law enforcement and labor, state and local elected officials, business and religious leaders, educators and community activists—on a broad range of issues. I built and strengthened constituencies and saw the power of shared ideas in advancing the administration's goals. These constituencies remain deeply engaged with foreign exchange participants, share invaluable expertise, and host them in our communities. If confirmed, I will see that the American people remain at the heart of ECA exchanges.

I have also seen the power of people-to-people exchanges overseas through serving on the Board of Directors of Peace Players and working with the Education Partnership for Children of Conflict. When you bring people together through areas of mutual interest, you open lines of communication and build trust that is essential for solving long-term challenges. In Northern Ireland, South Africa, and Israel, Peace Players uses sports to bring together children of different races, religions, and ethnicities. Thanks to the opening made through this sports exchange, children learn that what they have in common far outweighs the differences that divide their communities.

The Education Partnership for Children of Conflict helps make sure that children whose lives are disrupted by war still have access to schools, books, and teachers. War can produce a lost generation; the Partnership promotes education and offers opportunities to overcome divisions that lead to conflict in the first place.

These experiences instilled in me a conviction that, through education, culture, and sports, the United States can help defuse conflict, bring people together and build partnerships to face global challenges. We must continue to find creative ways to connect with people around the world. Exchange programs open doors.

With citizens increasingly able to shape local and even global events, ECA's mission is more vital now than ever. Annually, ECA engages 350,000 exchange participants and is connected with more than 1 million ECA alumni—including 365 who became leaders of their countries, 54 who won Nobel Prizes and many more who returned to become leaders in their chosen fields. This is the legacy of flagship programs like Fulbright, founded in 1946, and the International Visitor Leadership Program, which was started by Nelson Rockefeller who invited Latin American journalists who came to the United States to learn about freedom of speech and democratic values.

ECA's international program participants get to see America first-hand. They live and work here and return to their own countries and share their new skills and understanding. The impact is global. Participants are from every part of society. They are high school and university students, emerging leaders, entrepreneurs, journalists, activists, government officials, religious leaders, and academics from every class and background. ECA is connecting with new audiences and empowering youth, women, minorities, and underserved communities—the world's future problem-solvers.

Equally important is the impact of ECA exchange programs on the United States. We live in a globalized world, and providing Americans international experiences makes our country stronger—better able to understand, cooperate, and compete. When ECA sends Americans abroad they become ambassadors for our Nation. They often study, work, and live with people who have never met an American. Through ECA programs, Americans learn about other cultures and gain skills needed to succeed in a global marketplace.

And, every day, in every state, your constituents demonstrate American values to exchange participants through their hospitality. They open their classrooms, workplaces, homes, and hearts to people from nearly 190 countries. From their hometowns, they are sharing the best of America with the world.

By linking Americans together with people from around the world, we can develop lasting relationships and partnerships that overcome political and cultural dif-

ferences. And there is a tangible benefit, too: last year, international students contributed \$23 billion to the U.S. economy.

If I am confirmed, I will sustain and build on the Bureau's extraordinary record of connecting with youth, women, emerging leaders, and the underserved to address the challenges of today and invest in the future of America's global relationships.

For example, I am committed to engaging youth from every region and background because 65 percent of the world's population is under 30. I know the transformative impact new ideas and experiences have on a young person. We have to be in the business of talent scouting around the world, finding emerging leaders, empowering them to fulfill their dreams, and building a long-term relationship with the people of the United States. If confirmed, I am excited to bolster and expand ECA programs like the Youth Ambassadors, which started in Latin America and has brought young people throughout the hemisphere together to promote mutual understanding, increase leadership skills, and prepare youth to make a difference in their communities. And to support the President's Young African Leaders Initiative, by bringing young Africans to the United States for summer leadership institutes at U.S. colleges and universities, and providing opportunities for them to network and contribute to their country's future when they return home.

It is also essential that ECA connect with young people in vulnerable communities. ECA programs are a bridge to opportunities, alternative narratives, and a marketplace of ideas for the next generation. These relationships are an investment in our shared futures.

If confirmed, I would look to continue expanding the reach of the Bureau's English language programs to build on the strong global demand for English language proficiency. English language skills connect young people to America, open doors, develop communities, and allow people to enter the global economy. This is a priority for the President and will have an impact far into the future. To cite just one example, already ECA's English Access Microscholarship program reaches tens of thousands of students each year in underserved communities in more than 85 countries worldwide. They are building strong bridges between countries, communities, and cultures while strengthening America's popularity and appeal.

I also believe the following are essential strategic directions for ECA:

1. Ensuring ECA programs are aligned with foreign policy and are mutually reinforcing;
2. Leveraging technology and new media to connect more people with America, such as virtual exchange opportunities;
3. Investing in long-term relationships with exchange alumni to increase the overall impact of ECA's programs; and
4. Increasing opportunities for Americans and impact on domestic communities.

Public diplomacy relies on our country's greatest asset, the American people. When you meet Americans, you meet American values. If confirmed, my focus will be on creating lasting people-to-people relationships that are the foundation of U.S. global engagement. I would be honored to lead this important effort for our country.

Thank you very much, and I look forward to answering your questions.

The CHAIRMAN. Thank you all for your testimony and to your family members for being here.

Let me start off with an answer I want from each of you and it is a simple yes or no. If you are confirmed, will you be responsive to requests from this committee and responsive to sharing insights in your respective posts with this committee by both the chair and members of the committee?

Ambassador BARZUN. May I start?

The CHAIRMAN. Yes.

Ambassador BARZUN. Senator, thank you for that question. In the spirit of brevity, yes, absolutely.

Ambassador AYALDE. Mr. Chairman, I would welcome those insights.

Ambassador HALE. Yes, Mr. Chairman.

Ms. RYAN. Mr. Chairman, yes, absolutely. I look forward to working with the committee.

The CHAIRMAN. All right. Thank you.

Now, let me start off with you, Ambassador Barzun. As former Prime Minister Thatcher would say, the Anglo-American relationship has done more for the defense and future of freedom than any other alliance in the world. That is very true. You embodied it in your opening statement.

In that context, there are still challenges before us, challenges on terrorism, challenges in North Africa, challenges as we still seek to deter Iran's march toward nuclear weapons, for which the United Kingdom has been a tremendous ally in this regard and forward thinking within Europe. How do you envision working to strengthen our mutual interests, but of course U.S. policy in this regard, to get our British allies to continue not only on the path they have been on but to intensify it in these areas with us?

Ambassador BARZUN. Thank you, Senator, for that question and raising that important topic—or topics, I should say.

As you pointed out, the defense and security cooperation between our two countries is unrivaled, and precisely because the cooperation has been going on for so long and it is so strong, I will certainly make sure to never be complacent. That takes a lot of work from an incredibly talented country team over there at post. And if confirmed, I will engage with the talented country team to engage on political, economic, defense, and security, on all those issues because those all come to play, as we seek to make the world a more peaceful, prosperous, and just place and of course, if confirmed, would welcome the opportunity to work closely with you, your staff, and this committee to make sure that that remains just as strong as it is today.

The CHAIRMAN. Well, I appreciate that. I am particularly concerned about Iran. This committee has acted a series of times, in concert with the Congress, in a way in which it is rare today to have one unified voice of 100-to-0 votes about our concern about Iran's march toward nuclear weapons. And Great Britain has been a tremendous ally in this regard, and we need their continued leadership as we get into a phase of, I think, increasing challenge. So I commend that to your attention in your portfolio as you go there.

And something that is on a personal note but I think also important to our country, but on a personal note, I have for some time been involved in questions of Northern Ireland from my days in the House as a member of the Ad Hoc Irish Caucus from convincing President Clinton's national security advisor to give Gerry Adams his first visa to the United States, from helping seven boys called the Ballymurphy 7 to be liberated from a system of which they had 98 percent conviction rates just simply because they were Irish Catholics.

And while we have come a long way, a recent set of circumstances in Northern Ireland with protests exacerbated by the parades that take place annually and the riots that have ensued thereon has had a process by which Richard Haas, a former U.S. special envoy to Northern Ireland, is going to chair an effort. I hope that you will work with him and play a role in this regard. I think we have invested too much not to see the path to peace continue. It has been a cold peace but, nonetheless, to continue on a march toward greater integration. So I hope that you will consider that as part of your portfolio.

Ms. Ayalde, you and I had a conversation about Brazil. I think it is an incredibly important regional partner. I think it is incredibly important in its continuing aspirations in the world. I think the Brazilians have so much potential.

I, however, get concerned when I see, when they have opportunities, where they are headed sometimes. I get concerned in their position as the revolving chair of the Security Council where they seek further engagement with Iran, on Libya, in Syria in a way in which clearly diverts from my mind from where our views are. And to the extent that they want to be a new permanent member of the Security Council, it would make me real concerned about their aspirations in that regard.

And regionally I hear about their desire to be the regional leader, but I see them do very little outside of the country on democracy and human rights.

So while there is a lot that we are in common cause with the Brazilians, I hope that you are going to pursue, upon confirmation, a broadening of what I hope their vision is and their participation is in the days ahead.

Ambassador AYALDE. Senator, I appreciate your comments and certainly this is going to be a priority for me, if confirmed. My understanding is that the intensity of this dialogue over the last 2 years has improved. As Brazil becomes a much more active global player, the space in which we can dialogue and influence on these very important issues has increased. And so, if confirmed, I would want to pursue these very high priority foreign policy objectives so that we could have a much more fruitful and constructive way forward.

The CHAIRMAN. Ambassador Hale, you have one of the most challenging posts here, and in that respect, I wonder what your perspective is on a continuing political and military stalemate in Syria in terms of affecting Lebanon. What would be the ramifications in Lebanon for either a rebel victory or a regime victory in Syria?

Ambassador HALE. Thank you, Mr. Chairman.

Of course, the situation we are facing today is an impasse in Syria and the consequences that flow into Lebanon. It is going to be very challenging in a post-conflict environment, frankly, to even predict what Syria itself will look like, much less what Lebanon is going to look like.

But one thing I think is very important to bear in mind is that Lebanese society is interwoven very deeply into Syrian society. The connections between these two countries run very, very deep. All you have to do is look at a map and see why that is the case.

Our hope is that Lebanon will stay out of this conflict, that Hezbollah's role in trying to drag Lebanon into this conflict will be showcased and rejected by other elements of the population, and that as the situation in Syria stabilizes, Lebanon itself can go back to a stable environment as well, that the refugees will be able to go back into Syria. Ultimately, that will require a political solution there, that the violence slipping over the border will cease, and the Lebanese will be able to take back the command of their own agenda, which is to rebuild their country from years of civil conflict.

The CHAIRMAN. And finally and before I turn to Senator Corker, because time has run and I want to make sure everybody gets an

opportunity here, what do you think is the view—what is the degree of your view in terms of having the Lebanese leadership not allow the country to backslide into their past in terms of the type of conflict that we have seen in Lebanon before? What is your barometer reading on it?

Ambassador HALE. I think that the President of the Republic, President Suleiman, is showing remarkable leadership in preventing that from occurring. He has spoken out forcefully about that. He has defended the disassociation policy and he has condemned those, such as Hezbollah, who are violating it. That is also true of the commander of the Lebanese Armed Forces, who has also made similarly courageous statements. I believe that the vast majority of Lebanese political and factional leaders and religious leaders, as well as the vast majority of the population of that country, has a very strong aversion to returning to conflict. The evidence of what happened to that country is all around them. All you have to do is drive the streets of Beirut or in the countryside. Everyone knows the costs and the consequences of it. But it is very important that the tension that is rising from the conflict in Syria and Hezbollah's involvement in it be dealt with directly and that the political process, which is currently paralyzed, return to function well so that all elements of that society feel that they are participating in the decisions being made for the security and future of the country.

The CHAIRMAN. Ms. Ryan, I will get to you in my second round. Senator Corker.

Senator CORKER. Thank you, Mr. Chairman, and thank each of you for your public service and continued public service, hopefully, after this weekend.

Ms. Ryan, I had to step out for a moment with something on the floor and you may have spoken to this in your opening comments. But I would love to hear how your positions in the private sector and the public sector have prepared you for this role in cultural affairs that hopefully you will take.

Ms. RYAN. Thank you so much, Ranking Member Corker, and thank you again for letting me be here today.

I actually was an exchange student in college, and so I have that firsthand experience.

But shortly after college, I worked for First Lady Hillary Clinton, and in that job, I was able to travel to 22 countries around the world and see the different cultures and different societies and how different cultures and societies can offer us insights and we can learn from them and vice versa.

I then worked with a nonprofit called PeacePlayers International, and PeacePlayers International works with children of different races, religions, and ethnicities, and brings them together with sports. They play together, learn that they have more in common with each other than they do have differences. They currently operate in Northern Ireland, in South Africa, and Israel and the West Bank. And what was fascinating to learn working with PeacePlayers is when you work with young people who have not yet formed hard opinions about people who differ from them, you can show them that there is much more in common that they have with one another than differences.

I also worked with the Education Partnership for Children of Conflict, and what we found is one of the first things to go by the wayside in an area of conflict is a school, a child's ability to learn. And that can stunt that country's growth, that country's path in the future if you are not educating its young people.

So through all of these, as well as through my most recent work with Vice President Biden when I worked with constituencies all around the country and saw that when you bring people together and open a dialogue, there is more that we can accomplish together than apart.

I think the power of ECA is that you do open doors to people around the world. There are currently 350,000 participants in exchange programs through ECA, and we bring them here to this country. They see American ideas, American values. They are exposed to American democracy. They then go home to their country. They share their experience of America. And that benefits us in the long term. I think Senator Lindsey Graham called ECA's exchange programs "national security insurance" because if you send people back to their home after they have been here, seen what America is really about, perhaps something that they had not been exposed to in their own media, and given them a chance to see how much broader their horizons can be, that impacts us in the long term in terms of our diplomacy and in terms of how this country deals with leaders who have been exposed and been through our exchange programs.

So I think it is a very powerful place to be in terms of our public diplomacy, and I feel that my background is uniquely suited to accomplish a lot in this role. And I really appreciate your question.

Senator CORKER. Well, thank you.

We have had some difficulties over the last couple years where certain efforts have taken place to clamp down on these programs where we have had people coming here to the United States and really learning a great deal about entrepreneurship and for enterprise and all those things that have helped make this country great. And I do hope, if confirmed, that you will work with us to ensure that these programs are not clamped down upon but actually, you know, within the resources available, expanded because I agree. I think it is a tremendous opportunity for us to share values with people in other countries, for them to take those back to their home. But, again, there have been some efforts, I think you may be aware, to curtail these activities, and I hope you will help us ensure that that does not happen.

Thank you again for being here.

Ambassador Hale, I know that Senator Menendez asked you a couple questions about Lebanon, and I think you talked a little bit about post. But right now as things sit, what is it that you think we could be doing to help stabilize Lebanon with the conflict that is occurring in Syria?

Ambassador HALE. Thank you, Mr. Ranking Member.

There are a number of things that we are doing now and that I will continue to do in order to help stabilize the situation in Lebanon.

One of my first priorities is going to be to make sure that Washington has a clear picture of the impact of developments in Syria

on the ground in Lebanon politically, economically, security, and the humanitarian situation.

Second, we have to stay focused on that humanitarian issue. The United States has contributed \$160 million out of our total budget for the Syrian refugee crisis to our partners in Lebanon to help work with the refugee issues there.

I think we also want to make sure that the Lebanese leadership is thinking ahead about contingencies related to the refugees so that they are prepared and the international community as a partner for them is also prepared and ready with planning.

And then we need to continue to help with this disassociation policy rhetorically and behind the scenes politically to make sure that those who support disassociation have our support.

One of the most important and tangible ways that we can stabilize Lebanon is to continue our very concrete support for the Lebanese Armed Forces and the Internal Security Forces. We are contributing resources to them so that they can train and equip to deal with the security challenges inside the country, including countering the terrorist threats, controlling the border, including the Syrian border, making sure that Hezbollah can no longer claim that there is a vacuum in the state, but there is a strong state institution capable of carrying forth the security of that country.

Senator CORKER. Ms. Ayalde, Ambassador, I thank you for being here and thank you for your willingness to serve in another country.

I see I am out of order here. I apologize.

There is a lot of economic and development changes taking place in Brazil right now. What do you think we can do? I mean, there is tremendous turmoil. There was growth for a period of time, obviously much dissension within the country right now about direction. What do you think we as a country can do to help move Brazil along in a productive way?

Ambassador AYALDE. Thank you, Mr. Ranking Member, and thank you for the question.

Brazil has tremendous potential on all fronts, and we are best situated to take advantage of that. We have various dialogues going on that try to hone in on some of the barriers to trade, we are already very well poised to address these issues. It is a very dynamic process.

We have CEO's working on this. We have a very active CEO forum with 12 CEOs from Brazil and 12 CEOs from the United States working together trying to identify what those potential barriers may be and how we can help address them jointly.

There are opportunities in the energy sector that we are looking at very eagerly. Bids are due to be announced for oil and gas exploration, and we are looking forward to the opportunity this can offer U.S. business.

We have a number of areas that we are going to continue to work with the Brazilians to try to take advantage of opportunities. But we are already doing a lot. Tourism, for instance, has just grown exponentially from the United States to Brazil and from Brazil to the United States. And as a result, we accommodated our consulates. We had to address the streamlining. We have one of the

highest visa issuance in the world, and we have a number of Brazilians coming to the United States and buying. That means jobs.

You mentioned the recent turmoil or protests that have gotten a lot of public attention. We believe this is a sign of the resilience of the Brazilian democracy and the voices came out and protested, and the President responded immediately in a peaceful way. And those concerns are being taken seriously and the government is looking at ways of trying to address the call for improved health services, improved education, and better transportation.

And then again, there are also opportunities for our engagement on the infrastructure. There are new airports and ports projects, and we are looking forward to seeing more U.S. business engagement. And if confirmed, I would certainly work with our private sector and the Brazilian government to try to make sure that there are fair rules of the game for that economic engagement.

Senator CORKER. Thank you.

And, Ambassador, I will probably get to you in a second round, but I thank you for your willingness to go from Sweden to where you are going. Thank you very much.

The CHAIRMAN. Senator Murphy.

Senator MURPHY. Thank you very much, Mr. Chairman.

Thank you to all of our witnesses for your willingness to serve.

Ambassador Barzun, I appreciate your mention of TTIP in your list of the top three issues that will confront you in your new post. I, in my service in the House, was not a 100-percent supporter of trade agreements that came before the Congress, but I am a big supporter of this one because I think it has not only enormous economic potential but has large geopolitical consequences if we get it right.

That being said, it will be a lot easier to enforce and maintain a TTIP that we hopefully eventually sign if England is still part of Europe. And you are going to be there during a really consequential time for the identity of that nation. In particular, in 2015, we expect there will be a conversation and perhaps a referendum, according to Cameron if he wins reelection, on the U.K.'s continued participation in the EU.

Talk to us just a little bit about our disposition and your future disposition as Ambassador as England and the United Kingdom goes through what could be a pretty tumultuous debate about their future role in the European Union and what the consequences perhaps are to the United States if their decision to perhaps withdraw or either further limit their participation.

Ambassador BARZUN. Thank you, Senator, for raising very important topics and topics I do plan to deeply engage on, if confirmed.

I think the President said it quite well when Prime Minister Cameron came to visit earlier this spring, and I will echo those words in answer to your question. And it is important to say right up front that the U.K.'s decision for how it works with and within Europe is a decision and internal matter for the United Kingdom.

That said, the United States interests—our interest is, as the President said, for a strong U.K. voice in a strong European Union for the reasons you touched on, Senator. A strong U.K. voice—we share a commitment to free and fair trade. We get a strong, bit TTIP deal done with the European Union. That is not only good for

the European Union and the United States, which is a third of global trade. It also sets great, high standards for the rest of the world.

So that is how I plan to handle it, if confirmed, and as that evolves, I, of course, look forward to working with you, your staff, and this committee to monitor progress. Thank you.

Senator MURPHY. Thank you very much, Mr. Ambassador.

Ambassador Hale, in our conversation before today's hearing, you were referencing comments regarding the Syrian refugee inflow to Lebanon as creating an existential crisis in Lebanon. And sort of thinking about that afterward, it sort of strikes me as maybe one existential crisis layered on top of another existential crisis, perhaps layered on top of another. This is about as confusing a country for identity politics purposes as you get, and it plays out in the LAF. It is playing out right now as the general of the LAF and the ISF are both seeing their terms expire and you have got infighting amidst the political groups trying to figure out who comes next.

And it often causes consternation here in Congress because we, for instance, look at the sometimes watered-down willingness of the Lebanese Security Forces to take on Hezbollah, for instance, and we wonder why we are continuing to fund them if they are not taking the kind of rigorous posture that we would like them to. I think we sometimes have that consternation because we misunderstand the complicated nature of identity politics and political coalition building today, and we also probably misunderstand the importance of the LAF and a nonsectarian armed forces in trying to be one of the few legitimate brokers of peace and political stability.

So we talked a little bit about this privately but talk to us just a little bit about the role you can play to help us make the case to appropriators here that we should continue military funding for Lebanon, certainly with an understanding that there is a line that they can cross that would cause us to change our disposition. But how can you help us make the case that this is an incredibly important funding stream for the Lebanese people and for our regional security interests?

Ambassador HALE. Senator, that is an absolutely essential issue that you have raised, and I think you have captured very well the nature of the challenge that we are facing on this.

I would cast things in the following way. This has got to be a long-term effort. You know, I saw the Lebanese Armed Forces at the end of the civil war personally as a diplomat. It was a broken vessel. The war broke it. We have been helping them build up literally from the boots up since this period.

And one of the reasons that Hezbollah was able to become what it is today is that it thrived in the vacuum that was left by this absent state security authority. So if we have the long-term ambition, as we do, of making sure that Hezbollah is no longer the militia and terrorist threat that it is today, then we have got to have in place state institutions that can carry on the security challenges that are present in Lebanon and around the region. So that is the long-term goal that we have here.

We, obviously, would anticipate that there is not going to be a military solution to Hezbollah. We saw that in 2006. There has to be a much more complex approach to it. There has to be a political

strategy by Lebanese to reach a consensus that Hezbollah can no longer be the one militia that is still around and still armed and still controlling spots of Lebanese territory that is still making decisions that affect the life and prosperity of every Lebanese citizen without any accountability at all. But we will never get there if we do not have these institutions in place.

And think of the alternative. If we were not engaging and bolstering the Lebanese Armed Forces, then you would have not only Hezbollah but a whole host of terrorist groups seeking haven in Lebanon, finding their own sanctuaries, developing their own means, fighting amongst themselves, and then spilling all that over into Israel and other countries. We have seen that movie, and it is the last thing we want to see again happen in Lebanon or anywhere else in the world.

So I believe that this is the right investment to be making.

Senator MURPHY. Thank you. Mr. Ambassador, I just want to also thank you for your comments about the strong Lebanese American population and your willingness to draw upon them to try to make some of these cases I think ultimately to make your job and our job easier.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator KAINE.

Senator KAINE. Thank you, Mr. Chair.

And to the witnesses, congratulations. Thank you for your service.

Mr. Barzun, your inspiring story about John Winthrop makes me want to offer a sentimental piece of advice to you to exemplify the same point, the great connection between our countries. There is a tiny Anglican church a few blocks from the Thames in the little community of Gravesend, which is at the mouth of the Thames where it flows into the sea. And in that parish, there is a very well-tended grave and it is the grave of the archetypal Virginian Pocahontas. The English settlers who came to Jamestown—frankly, they did not know how to survive Virginia weather, and if it had not been for John Smith, they all would have died. Pocahontas stayed her father's hand as they were about to kill John Smith and that really began the peaceful relations between Virginians, Native Americans, and the English, that first example of English settlement on this continent.

Pocahontas married another Virginian, John Rolfe, and traveled back to England, and when she had been there for a while, they gave her the Christian name Rebecca. She was coming home and fell ill on the journey down from London and was taken ashore in Gravesend and died.

The English have taken care of her grave there since the early 1600s, and in the church, there are two stained glass windows over the altar. One is Rebecca, her Christian name. When I went in and looked at it, the other one was Ruth. And I could not figure out why Ruth was in a stained glass window. But as you well know from the King James Bible that John Winthrop probably preached from, Ruth is the subject of the wonderful Old Testament story of Ruth and Naomi, the mother-in-law and daughter-in-law, who were of different nations. And when Naomi told Ruth to go back home

after her husband died, Ruth famously said, “Wither thou goest, I shall go. Thy people shall be my people. Thy God shall be my God.”

It is a wonderful tribute to the relationship and that tie between Virginian Indians and the English but also between the United States and England. And that is why the stained glass windows are there and that is why the grave has been so carefully maintained for so many years. It will inspire you in your role. I doubt you need inspiration, but it will inspire you to see it. It is evidence of your proposition.

The CHAIRMAN. That is just an example of the tip of the depth of knowledge that exists on this committee. [Laughter.]

And I thank the Senator for exhibiting it.

Senator KAINE. So now on to the more mundane. I am really interested in this Scotland referendum, the devolution referendum. And I do not know if you have any thought about that or what the conventional wisdom of that is. My understanding is the Prime Minister offered to Scottish people the ability to have a referendum about their future, including potential independence. And I think it might even be right about the same time as you would be having the discussion about the European Union.

Do you have any sense about how that is perceived right now and how it would likely go? I know the United States would have no position on it, but I am just curious.

Ambassador BARZUN. Thank you, Senator.

You are right. The Scottish referendum will be at the end of 2014, and you are also right that, of course, it is an internal matter for the United Kingdom. So it would not be appropriate for me to speculate about future outcomes.

I would, however, like to ask your permission to use that story about Pocahontas early and often, if confirmed. That is fantastic.

Senator KAINE. It is not trademarked, as far as I know.

Ambassador BARZUN. Thank you, Senator.

Senator KAINE. Thank you.

Ambassador Ayalde, if I could. Just one little thing that interests me. I could ask you a lot. But the chairman talked about his concerns about Iran in speaking to you that Brazil, you know, I think often showing an independence that a great nation and a great economy would have, does things in the foreign relations field that make us antsy and ought to make us antsy.

But one thing about the relationship with Iran I think is this. Brazil is one of the few nations in the world that gave up a nuclear weapons program. They were developing nuclear weapons when they had a military government in the 1970s and 1980s largely because of their concerns about their neighbor Argentina. And about 5 years after the military government fell in 1990, they voluntarily abandoned their nuclear weapons program. They are one of the few examples. I think South Africa and Libya might be the other two, each for their own reasons, of nations that were well on their way to developing nuclear weapons and then decided not to.

It is my hope—the chairman is working on this. We need to do things with respect to Iran, military options, strong diplomacy, strong sanctions. And yet, at the same time, there ought to be some positive examples out there of why nations have decided that it is

in their own long-term interest to abandon nuclear weapons programs.

And I hope that that story of Brazil as an example of a nation that abandoned a nuclear weapons program might be something that you and your colleagues in the Brazilian Government, should you serve in that capacity, could tell because I think it would offer some lessons to Iran and possibly to North Korea or other nations that are deciding to pursue a nuclear path. You do not need to pursue a nuclear path to be a strong economy and be a global power. I think that is a lesson from Brazil, and I just wondered if you might want to say anything about that.

Ambassador AYALDE. Thank you, Senator. Yes, very much so. That is the kind of positive moves that we are trying to encourage. The global partnership dialogue includes some of these global issues, including the relationship with Iran, and we hope to be able to move in positive directions through forceful diplomatic dialogue. And the experience that you have highlighted certainly points to ways in which this can happen, but we want to see that more frequently and obviously much more robustly.

Senator KAINE. And I know, as the chairman knows, one of the things that is most troubling about Iran is the way they are trying to play all throughout the Americas, the Spanish language TV and radio networks, trying to spread the influence of Iran in Brazil elsewhere. And we need to pay attention to Iran in the southern hemisphere not just in the Middle East. And I look forward to working with you on that.

Ambassador Hale, I recently went with Members of the Senate to the Middle East and Afghanistan and saw in Turkey and Jordan the effects of Syrian refugees. But we did not go to Lebanon and have extensive discussions about the effect of Syrian refugees in Lebanon. In Turkey, the refugees tend to be in camps of about 10,000 each, and when a camp is filled, then you build another camp of about 10,000 each. In Jordan, the camps tend to be larger, and because of water shortages in Jordan, they tend to be very challenging for the Jordanian Government.

I would suspect because of the ties between Syria and Lebanon, a lot of the refugees who would come from Syria into Lebanon would sort of maybe not be in camps but blend in more with family or friends or connections in parts of the country. But could you describe the effect of the Syrian refugees currently on Lebanese life?

Ambassador HALE. It is having a huge effect, Senator. And I appreciate your observations on the situation around Syria's borders.

The Lebanese decided not to set up camps. There are pros and cons in all these decisions. There are camps in other countries where the Syrian refugees themselves are extremely unhappy, in fact, have rioted because of the conditions in those camps.

And I think you put your finger exactly on the reason why the Syrian refugees, because of the ties between these countries, are able to integrate a little bit better into the society. If you look at a map of where they are located, they are literally spread all over the country, but not unexpectedly, the majority are in areas near the Damascus highway, in the Bekaa Valley, and the coastal highway that comes down in north Lebanon.

The impact is on almost every aspect of life. These people, some of them, have had resources but their resources are beginning to dry up. They have rented apartments and so forth, but others do not have resources and are living with extended families in overcrowded housing, unable to necessarily meet their basic needs. And that is where our role becomes so important. They are doubling up in schools. The Lebanese have opened up the schools, but the demand is very great.

I saw this in Jordan. By the way, I served there during a large period of the conflict in Iraq. We had a very similar challenge.

So one of the objectives that we have is to make sure that our assistance goes to the community where the refugees are not just to the refugees, because their demands are spilling over into areas that are already disadvantaged.

Like Jordan, the Lebanese have a neuralgia about refugees, and you can understand why, because of the Palestinian refugee population and the distortions that that generated in the society.

So I think everyone, going back to chairman's initial question, is looking to us also to see that there is going to be a solution to this problem. And so that is why, working with the Syrian opposition, ultimately the answer is to find a political solution inside Syria.

Senator Kaine. Thank you.

Ms. Ryan, I will have a question in round two, but back to you, Mr. Chairman.

The CHAIRMAN. Let me ask you, Ms. Ryan. I agree with everything you said—that is rare around here—with reference to the importance of educational and cultural affairs in the Bureau. There is an effort underway to make significant reductions to the Department's funding to the tune of approximately \$124 million below the State Department's request for fiscal year 2014. I personally will work against that, but I hope it does not get realized.

But inevitably, the challenge is when you are looking at the overall resources for our State Department, our Foreign Service abroad, this is an area that seems to be ripe for those who do not understand—and I agree with Senator Graham that this is probably one of the best placed resources germinating our ideas across the globe on democracy, freedom, and the potential of each individual human being to fulfill their God-given potential. So it has enormous value.

But to the extent that we are restricted with sequester and other challenges looking ahead, if you were to be confirmed, how do you look at how do we prioritize this effort in the world? How do we look at the changing realities in the Middle East and North Africa? How do we tailor our programming or should we tailor our programming as part of an overall mission to fight extremism?

So, you know, in my mind, we would love everybody to come and see and engage and then go back in their own countries and promote these values that they will see for themselves are, in essence, really not just American but universal. But that is not going to happen.

So is there a prioritization that we should be pursuing in this regard, especially in light of the budget challenges that we consistently face?

Ms. RYAN. Thank you, Mr. Chairman. You make a critical point and that is an excellent question.

I know that ECA works very closely with the regional bureaus of the State Department and with our embassies around the world to ensure that our programs at any given time are in line with our foreign policy priorities. And as you stated, in these budget times, we do have to make sure that the programs that we are developing are the ones that are most helpful to our foreign policy priorities and that they meet the needs of the changing global landscape.

To your point, there is a program that ECA has called Tech Women that started just with women in the Middle East. It has now been expanded to parts of North Africa. And what they do is they bring women from the Middle East who are interested in developing skills in tech. They come here for a mentorship program in Silicon Valley where they are matched with women who teach them tangible skills and technology. They go back to their home countries. They have marketable skills. They know how to start a business. They know how to develop these things. We have now empowered them, taught them these skills. They have benefited completely from the United States.

And what you will find is, especially with women—this is why I think this program is so unique and powerful—women invest in their children and in their children's education and help form the opinions that their children are going to grow up with about the United States. So that is one example of, I think, how ECA has been nimble in making sure that their programs do align with the foreign policy priorities of the administration of this country.

The CHAIRMAN. So if you are confirmed, you will oversee a department that will be nimble enough to respond to the changing challenges we have within the context of your fiscal constraints.

Ms. RYAN. Exactly. And making decisions about which programs we need to prioritize based on what the current needs are for our goals.

The CHAIRMAN. I have one last question and you referenced it in your opening statement, which I was glad to see, and that is using new media platforms as a way of expanding our reach globally within the context of public diplomacy. Can you expound a little bit upon that because I think that especially when we are having budget challenges, this is an opportunity to reach mass audiences in a way that, first of all, is aware in how they seek to communicate and, secondly, gives us the opportunity to expand our reach?

Ms. RYAN. Thank you, sir. That is a very important point.

One of the things that ECA has focused on recently is virtual exchanges where people can learn from us online. We can develop programs where they can sit at their computer in their country and learn virtually with programs here in the United States. So that is something that will be a priority. It is something that, as you can imagine, is at a much lower cost than actually transporting people. So virtual exchanges is something that is on the horizon and that ECA is already working on. And I look forward to, if confirmed, to continuing in that effort.

One other piece of—you know, in terms of what you have raised and how we can accomplish these goals and meeting people's needs through other means. We already have very strong English language programs around the world. What that has accomplished and what I hope it will continue to accomplish at a, hopefully,

lower cost is purely by teaching American English to people around the world, you then enable them to read American media, to read English online in a way they would not have been able to before, be exposed to ideas online purely because there are these English language opportunities that have been a priority for a very long time of ECA and I hope, to your point, do not get cut in any budget cuts because English language teaching is a very subtle diplomatic tool and very powerful way to engage people not only with the United States but with U.S. Web sites, Internet, ideas, and information. And so I am hoping that that English language teaching could remain because I think it is a very subtle and powerful way to teach people about this culture but also open their minds.

The CHAIRMAN. That is great. I hope we are teaching highbrow New Jersey English. [Laughter.]

Senator Corker.

Senator CORKER. We could debate that.

I want to thank you all again for your service. I know there are a number of panelists. We have two more coming up, and I will be very brief.

But, Ambassador Barzun, you know, the United Kingdom has been—we have a special relationship with them, as you have mentioned. And if you can remember the Pocahontas story when you get there, you will be one of the most outstanding Ambassadors ever.

But you know, the fact is, at the same time, there are only three NATO countries that are actually living up to their obligations as it relates to funding defense. U.K. is barely doing that right now and it looks like through budgetary cuts could in fact drop down below. I know this is a short and quick answer. But I assume you will be a strong advocate for the United Kingdom in spite of the fact that we have a special relationship with them in maintaining their obligations to NATO in that regard.

Ambassador BARZUN. Absolutely, Senator. Thank you for raising the issue around this important NATO ally.

It is my understanding that Chancellor of the Exchequer Osborne in his most recent budget laid out a defense budget that would remain above the 2 percent. And we all know—both of our countries know—that maintaining a modern deployable force is expensive. And because of our deep cooperation with the U.K., we are committed to working with that strong relationship to make sure that they remain full spectrum capability, that they remain interoperable with us, and also that they finally are able to continue to lead missions on behalf of NATO.

So it is an area of critical concern, one that I will engage on when I get on the ground, and I look forward to working with you, your staff, and this committee, if confirmed.

Thank you.

Senator CORKER. Well, again, I thank all four of you for your willingness to serve our country in this way and for being before us today. And I look forward to a long engagement with each of you. Thank you very much.

The CHAIRMAN. Thank you.

Senator Kaine.

Senator Kaine. Ms. Ryan, just briefly. Again, congratulations to you.

One of the programs that your office administers is called the Exchange Visitor Program, and this is already kind of like a constituent question. Virginia has been a great user of this program, and it is to bring international teachers to Virginia who have been very enriching of the student experience in the Virginia public schools.

I just wanted to put on your radar screen for the day that you are doing the job that the traditional time period for these international visits is about 3 years. But the State Department and Virginia have worked very cooperatively for some time in allowing 2-year extensions to ultimately take those periods in Virginia to about 5 years. And I know my superintendent of public instruction, Patricia Wright, will have that letter on your desk as soon as you are there. And I just want to encourage you—I know you know the value of this program and these teachers—how much they enrich students. But just to encourage you in that because in Virginia we have found that to be a really important program that your office operates and we are big fans of it.

Ms. RYAN. Thank you, Senator Kaine. Indeed, I do know that it is a very important program. The teachers who come over here are teaching critical language skills to our students, but they are also exposing our students just by being there to different cultures and that is a very important program. And if confirmed, I look forward to working with you.

Senator Kaine. Thank you, Mr. Chair.

The CHAIRMAN. Well, thank you all for your testimony, your willingness to serve.

I remind members that the record for these nominees will stay open until the close of business today for any questions. If you do receive a question, I urge you to answer it expeditiously. It is the intention of the chair, working with the ranking member, to have these nominees before a business committee later this week, but that will depend upon having answers to all questions at that time.

With that and with the thanks of the committee, this panel is excused.

I invite Senator Kaine to take the chair. And I invite our next panel to come forward: Kirk Wagar, Daniel Sepulveda, Terrence Patrick McCulley, and James Swan.

Senator Kaine [presiding]. If I could get members of the panel, please, to come forward, we will begin now panel three. I will do introductions of the four nominees who are before us and then ask Senator Nelson to make some statements. I know he is here to introduce his friend, Kirk Wagar. And after Senator Nelson's comments, we will hear from the four nominees in the order that I introduce them.

First, Kirk Wagar is a friend and has been nominated to serve as Ambassador to Singapore. Mr. Wagar is a Floridian who has had a distinguished and very successful career as an attorney with a deep commitment to public service, including service on the Advisory Board of the Import-Export Bank of the United States. I am pleased to welcome him before the committee to consider his nomination as Ambassador to Singapore.

The position for which he has been nominated is a very important one in the region, both for the issues on the United States-Singapore agenda, such as deepening defense cooperation and the Trans-Pacific Partnership and also because Singapore's role in helping to forge a new and emergent regional architecture for a rules-based Asia-Pacific order. Singapore is also a wonderful innovation capital, and there are great exchanges of information and ideas that can be forged in this role.

The unique role that Mr. Wagar has had as an attorney and his commitment to public service, including the Export-Import Bank, will qualify him in a great position for this Ambassador.

And I will introduce Senator Nelson in a minute who will say more.

Terence McCulley. Ambassador McCulley, welcome. Ambassador Terence McCulley is to be the nominee of the U.S. Ambassador to Cote d'Ivoire. As a senior member of the Foreign Service, Ambassador McCulley brings extensive leadership skills, coupled with strong management and interagency experience. His previous service in challenging countries, such as Mali and Nigeria, have instilled necessary insight to serve in a country beginning to find its way after a long and difficult civil war.

Since the crisis following the disputed Presidential elections in 2010, Cote d'Ivoire has been steadily emerging from a difficult era. The current President initiated measures to restore security, address human rights issues, ensure transitional justice, promote political reconciliation, revive the economy, reform security, and rebuild state legitimacy. A sizable agenda.

The United States has been a steadfast partner in these efforts, especially in work on the judiciary and electoral systems. We have also supported efforts to disarm and demobilize former combatants and promote national reconciliation. The immense challenges are not insurmountable. With the wealth of experience and steadfast leadership of Ambassador McCulley, the United States will continue to be a partner of the Ivoirian people, and in a region that has been too long plagued by conflict, a renewed Cote d'Ivoire will be a valuable partner.

Next, Ambassador James Swan. Maybe one of the most challenging countries in Africa, the Democratic Republic of Congo, is wealthy in natural resources yet remains poor and divided by conflict. Few people know more about these challenges than Ambassador Swan. And I am pleased to welcome him here as we consider his nomination.

Ambassador Swan has the depth and breadth of experience to engage our partners in the Democratic Republic of Congo to move toward realizing its potential and the Congolese people deserve no less than the best the United States can offer.

It is one of the largest countries in Africa, presents great challenges, but there are few people in the service of the United States who understand the challenges and opportunities more than Jim Swan. As a career Foreign Service officer, he has had a long relationship with this country. Deputy Assistant Secretary in the Africa Bureau. He has promoted security reforms and the establishment of broad-based government across the continent, and these happen to be two of our highest priorities in the Congo. Welcome.

Daniel Sepulveda. The Internet and telecommunications are at the heart of the modern international economy and both present huge opportunities and challenges. With many years of experience on just these issues while in Congress and past administrations and in the private sector, Daniel Sepulveda is the perfect candidate to champion the Nation's international information and communication policies and priorities. I am pleased to welcome him as the nominee for Deputy Assistant Secretary of State for International Communications and Information Policy with the rank of Ambassador.

He is well known here in Congress both for his expertise on global telecom and Internet issues, as well as for his extensive experience working for both Senators Cowan and Boxer, as well as for President Obama and Secretary of State Kerry when they were both Senators.

Mr. Sepulveda would assume the head of the State Department's Information Policy Group at a moment when our country is faced with complex international debates over privacy, data flows, Internet governance issues, as well as a time when the administration is pursuing a very significant set of trade and investment agreements that impact directly upon his portfolio.

I want to welcome all of the witnesses before us. Thank you for your public service.

And I am going to begin by asking Senator Bill Nelson of Florida to say a few words of introduction to Kirk Wagar, and then we will have—actually before I do that, I am going to ask my ranking member, with a great hand signal from Senator Nelson about what I was supposed to do next—

[Laughter.]

Senator KAINE [continuing]. That I was able to observe. Before I introduce him, I would like to ask Senator Corker, the ranking member of the committee, to offer some introductory comments.

Senator CORKER. I think you have done an outstanding job of introducing these great candidates and nominees. And I know we have a very distinguished Senator from Florida who is waiting patiently to speak. So I will defer and look forward to your testimony and thank you again for your willingness to serve.

Senator KAINE. Senator Nelson.

**STATEMENT OF HON. BILL NELSON,
U.S. SENATOR FROM FLORIDA**

Senator NELSON. Thank you, Mr. Chairman. As you said, it is my privilege to be back to the committee that I spent many very happy years as a member of this committee and thank you all for your dedicated service doing what has to be done in the confirmation of these nominees. And I am here on behalf of Kirk Wagar.

I have known Kirk for many years. He is from Miami. He is a University of Miami law graduate. He has his own Miami-based law firm. And he has a passion for justice and advocacy. And, of course, someone possessing those characteristics, it is no wonder that the President picked him for a very sensitive diplomatic and political post, and that is Singapore, because Singapore is a major trading partner. It will continue to play a major part in our engagement in efforts, particularly trade efforts, in Asia and our Am-

bassador there oversees the 17th largest trade relationship. It is worth \$50 billion a year.

Singapore, fortunately, has a history of championing trade agreements. And as we get to looking to these Pacific trade agreements, it is going to be all the more important that the Ambassador representing us in Singapore in the Trans-Pacific Partnership negotiations is going to be very crucial.

Now, interestingly, Singapore plays a very strategic military role for us not because they have an army but because we have an agreement with them that the U.S. Navy maintains a logistical command unit in Singapore, and it serves in coordinating warship deployment and logistics. And this is right there at the critical Strait of Malacca, which is the narrow passage from the Pacific to the east, to the Indian Ocean to the west. So our U.S. representative in this tiny, in effect, nation state is critical. Squadrons of U.S. fighter planes are rotated to Singapore, for example, for a month at a time, and the naval vessels make regular port calls. And so the security cooperation with this little country is extremely important to the interests of the United States.

And I want to commend to you for your consideration Kirk Wagar as our Ambassador.

Senator KAINE. Thank you very much, Senator Nelson. We understand that you may have other events to attend to, but we appreciate you being here.

And, Mr. Wagar, why do we not start with you and then we will just move from your side of the table all the way across in the opening comments. And then Senator Corker and I will ask questions, along with any other members who might come.

**STATEMENT OF KIRK W.B. WAGAR, OF FLORIDA,
TO BE AMBASSADOR TO THE REPUBLIC OF SINGAPORE**

Mr. WAGAR. Thank you, Senator. Mr. Chairman, Senator Corker, it is an honor and a humbling experience to appear before you as President Obama's nominee to be the next United States Ambassador to the Republic of Singapore.

I am blessed to be a citizen of the greatest Nation on earth. I came here as an 18-year-old student, the first member of my family to attend college, and from that time, this country has provided me with my family, my education, my career, my home, and numerous opportunities to serve in our political process. My story is not possible in any other country in the world.

I would like to first thank President Obama for the faith he has shown in me with this tremendous responsibility and assure this committee that I do not take it lightly.

I also want to thank my dear friend, Senator Nelson, not only for his far too generous words but also his friendship and leadership on behalf of my family and all Florida's families. We could not ask for a more dedicated and gracious champion. His example is one I have followed and I will follow every day.

If the committee will allow, I would like to recognize my family. I was adopted at 4 months old into the most loving of families, and while my parents could not be with us today, I must acknowledge it is because of their guidance and strength that I have achieved anything in my time on this planet.

I would also like to introduce my brilliant and wonderful wife, Crystal Wagar. From her Midwestern roots to her unparalleled work ethic, Crystal serves as a model and inspiration every day, and her willingness to embark on this adventure on behalf of the country we both so dearly love ensures that we will do the best job we can on behalf of the American people.

Mr. Chairman, if confirmed, it would be an honor to serve my country as the United States Ambassador to the Republic of Singapore.

Singapore is one of our strongest partners in the region, a region that President Obama has made clear is a priority for our future. There are three main pillars to our comprehensive and productive relationship with Singapore.

The historic foundation of the relationship is our dynamic and robust defense cooperation. Few countries surpass Singapore as a partner and a friend to the United States on our defense priorities in the region. Singapore is eager to have interoperable equipment, facilities, and processes that make it easy for us to cooperate with them on broad ranges of activities. We recently forward deployed to Singapore on a rotational basis the first of the U.S. Navy littoral command ships, which serves as an example of the depth of our shared interest in peace and prosperity in the region. If confirmed, I will work tirelessly to keep this relationship moving full steam ahead on a positive trajectory.

The second pillar of our relationship is the economic cooperation we have with Singapore bilaterally, regionally, and globally. The U.S.-Singapore Free Trade Agreement was our first free trade agreement in Asia. This bilateral free trade agreement set high standards and broke new ground for future FTAs. Since entering into force in 2004, bilateral trade has flourished, increasing almost 60 percent. U.S. investment in Singapore is twice what we have in China and five times that of what we have in India. By many, many measures, this is America's best performing FTA.

And we are building on that success as we partner with Singapore in the Trans-Pacific Partnership. The TPP will create a 21st century trade and investment agreement among a dozen countries that make up almost 40 percent of the world's GDP. If confirmed, I will work with Singapore to successfully complete the TPP negotiations this year, if possible, and to ensure TPP's full implementation. Singapore has a remarkable open economy with strong protections for intellectual property rights. It is no secret why over 2,000 American companies base their regional headquarters in Singapore. Taking this success and building on it in the region will be an exciting challenge for me.

Our cooperation with Singapore on law enforcement and homeland security issues is the third pillar of our relationship. Our law enforcement cooperation with Singapore over the years has successfully used the available tools and resources, but it is time to update the cooperation to use 21st century tools to combat the 21st century challenges that face us. There is untapped potential in our partnership with Singapore as we confront the global challenges of cyber crime, illicit finance, counterproliferation, and trafficking in persons. I look forward to working with Singapore, if confirmed, on coming up with modern and mutually beneficial solutions to the

problems of the present and of the future. I want to see our non-military security cooperation elevated to the same parity we have on our military and economic cooperation.

Finally, I came to this country because of the values that make America great: freedom, equality, and opportunity. Those values will be intertwined throughout all that I will do, if confirmed. Through our strong people-to-people exchange programs and my own personal public diplomacy efforts, we will continuously represent these values with dignity, sensitivity, and humility. I consider working to increase respect for universal human rights and fundamental freedoms a key element of the job of an ambassador and pledge to make sure that human rights is squarely on the embassy's agenda, if confirmed. It would be my distinct honor to serve as Ambassador to Singapore on behalf of this great country that has given me everything.

Mr. Chairman, Senator Corker, thank you for inviting me to testify before you today and for giving my nomination your serious consideration. I am pleased to answer any questions you may have. Thank you.

[The prepared statement of Mr. Wagar follows:]

PREPARED STATEMENT OF KIRK W.B. WAGAR

Mr. Chairman, members of the committee, it is an honor and a humbling experience to appear before you as the President Obama's nominee to be the next United States Ambassador to the Republic of Singapore. I am blessed to be a citizen of the greatest nation on Earth. I came here as an 18 year old student—the first member of my family to attend college—and from that time, this country has provided me with my family, my education, my career, my home, and numerous opportunities to serve in our political process. My story is not possible anywhere else in the world.

I would like to first thank President Obama for the faith he has shown in me with this tremendous responsibility and assure this committee that I do not take it lightly. I also want to thank my dear friend, Senator Nelson, not only for his far too generous words, but also his friendship and leadership on behalf of my family and all Florida's families. We could not ask for a more dedicated and gracious champion and his example is one I have followed and will follow every day. If the committee would allow, I would like to recognize my family. I was adopted at 4 months old into the most loving of families, and, while my parents could not be with us today, I must acknowledge that it is because of their guidance and strength that I have achieved anything in my time on this planet. Lastly, I would like to introduce my brilliant and wonderful wife, Crystal Wagar. From her Midwestern roots to her unparalleled work ethic, Crystal serves as a model and inspiration everyday and her willingness to embark on this adventure on behalf of the country we so dearly love ensures that we both will do the best job possible on behalf of the American people.

Mr. Chairman, if confirmed, it would be an honor to serve my country as the United States Ambassador to the Republic of Singapore.

Singapore is one of our strongest partners in the region—a region that President Obama has made clear is a priority for our future. There are three main pillars to our comprehensive and productive relationship with Singapore. The historic foundation of the relationship is our dynamic and robust defense cooperation. Few countries surpass Singapore as a partner and friend to the United States on our defense priorities in the region. Singapore is eager to have interoperable equipment, facilities, and processes that make it easy for us to cooperate with them on a broad range of activities. We recently forward deployed to Singapore on a rotational basis the first of the U.S. Navy Littoral Combat Ships, which serves as an example of the depth of our shared interest in peace and prosperity in the region. If confirmed, I will work tirelessly to keep this relationship moving full steam ahead on a positive trajectory.

The second pillar of our relationship is the economic cooperation we have with Singapore bilaterally, regionally, and globally. The U.S.-Singapore Free Trade Agreement was our first FTA in Asia. This bilateral FTA set high standards and broke new ground for our future FTAs. Since entering into force in 2004, bilateral trade has flourished, increasing almost 60 percent. U.S. investment in Singapore is

twice what we have in China and five times our investment in India. By many, many measures, this is America's best performing FTA, and we are building on that success as we partner with Singapore in the Trans-Pacific Partnership negotiations. The TPP will create a 21st century trade and investment agreement among a dozen countries that make up almost 40 percent of the global GDP. If confirmed, I will work with Singapore to successfully complete the TPP negotiations this year if possible and to ensure the TPP's full implementation. Singapore has a remarkable, open economy with strong protection for intellectual property rights. It is no secret why over 2,000 American companies base their regional headquarters in Singapore. Taking this success and building on it in the region will be an exciting challenge for me.

Our cooperation with Singapore on law enforcement and homeland security issues is the third pillar of our relationship. Our law enforcement cooperation with Singapore over the years has successfully used the available tools and resources, but it is time to update this cooperation to use 21st century tools to combat the 21st century challenges that face us. There is untapped potential in our partnership with Singapore as we confront the global challenges of cyber crime, illicit finance, counterproliferation, and trafficking in persons. I look forward to working with Singapore, if confirmed, on coming up with modern and mutually beneficial solutions to the problems of the present and of the future. I want to see our nonmilitary security cooperation elevated to the same parity we have on our military and economic cooperation.

Finally, I came to this country because of the values that make America great: freedom, equality, opportunity. Those values will be intertwined throughout all that I will do if confirmed. Through our strong people-to-people exchange programs and my own personal public diplomacy efforts, we will continuously represent these values with dignity, sensitivity, and humility. I consider working to increase respect for universal human rights and fundamental freedoms a key element of the job of an ambassador and pledge to make sure that human rights is squarely on the Embassy's agenda if confirmed. It would be my distinct honor to serve as Ambassador to Singapore on behalf of this great country that has given me everything.

Mr. Chairman, Senator Rubio, and members of the committee, thank you for inviting me to testify before you today and for giving my nomination your serious consideration. I am pleased to answer any questions you may have.

Senator Kaine. Thank you so much, Mr. Wagar.

And just to alert you all, we have just been informed there may be a series of up to seven Senate votes beginning in a very few minutes. But what we are going to try to do is get through opening statements, and if the votes happen, we will just keep you posted as to when we will come back to questions.

Mr. Sepulveda.

STATEMENT OF DANIEL A. SEPULVEDA, OF FLORIDA, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS DEPUTY ASSISTANT SECRETARY OF STATE FOR INTERNATIONAL COMMUNICATIONS AND INFORMATION POLICY IN THE BUREAU OF ECONOMIC, ENERGY, AND BUSINESS AFFAIRS AND U.S. COORDINATOR FOR INTERNATIONAL COMMUNICATIONS AND INFORMATION POLICY

Mr. Sepulveda. Thank you, Mr. Chairman. Thank you, Senator Corker.

I am honored to appear before you as the President's nominee for the title of Ambassador while serving as Deputy Assistant Secretary of State and U.S. Coordinator for International Communications and Information Policy.

I would like to submit my full statement for the record and summarize it for you now.

Senator Kaine. Without objection.

Mr. Sepulveda. I want to recognize my wife, Heather Higginbottom, who happens to be the Secretary's counselor as well,

and is here today. And I want to recognize our baby girl, Giselle Fabiana Sepulveda, who is at home.

My parents, Alejandro and Fabiola Sepulveda, are in Florida, but I also want to recognize their support and express my appreciation to them.

Mr. Chairman, I served 12 years in the United States Senate for four Senators, as you mentioned. I managed technology and telecommunications issues, as well as international trade, for all of them. I am well-versed in these issues and passionate about the importance of a thriving, open, and interconnected global communications infrastructure both to our economy and our democracy.

The State Department office I am nominated to lead promotes and preserves global innovation and communications, including international wireless, wired, and satellite communications. The office is also charged with defending and promoting the existing multistakeholder system of Internet governance that has allowed the global information system to revolutionize how we work, educate, and express ourselves. And this mission is more critical now than ever, not just to us but to the billions of people not yet connected to the Internet.

In the coming years, we will face international proposals on Internet issues that will be discussed in multiple fora. You can be confident that the administration's positions on those proposals will continue to reflect the consistent bipartisan approach to Internet governance issues that has prevailed since the Internet's privatization in the 1990s.

If confirmed, I will look to you for guidance and assistance. I take your oversight authority very seriously and I know that jobs, innovation, and discourse of the communications sector has helped enable in your States are critical to the economic and democratic well-being of the country.

Thank you for giving me the opportunity and the honor of appearing before you today, and I look forward to any questions you might have.

[The prepared statement of Mr. Sepulveda follows:]

PREPARED STATEMENT OF DANIEL A. SEPULVEDA

Thank you, Mr. Chairman and distinguished members of the committee. I am honored to appear before you as the President's nominee for the title of Ambassador while serving as Deputy Assistant Secretary of State and U.S. Coordinator for International Communications and Information Policy in the Bureau of Economic and Business Affairs.

I want to thank President Obama and Secretary Kerry for the honor of being nominated for your consideration to serve as a representative of the United States. If confirmed, I will discharge the important responsibilities assigned to the U.S. Coordinator to the best of my ability.

I want to recognize my family here today and those that could not be here as well for all of their support.

Mr. Chairman, I served approximately 12 years in the U.S. Senate, assisting Senator Boxer, then-Senator Obama, then-Senator Kerry, and Senator Cowan. I managed technology and telecommunications issues as well as international trade for all of them. Most recently, I was a senior advisor to Senator Kerry in his capacity as chairman of the Subcommittee on Technology and Telecommunications on the Senate Commerce Committee and worked with his Foreign Relations Committee staff on international issues in the same space. I am well versed in these debates and passionate about the importance of a thriving, open, and interconnected global communications infrastructure to our economy and democracy.

In simple terms, this State Department Office promotes and preserves global innovation in communications. In international wireless communications, this has required the coordination of rules and licenses in wireless operations around the world and the promotion of best practices in policy and law that attract investment in broadband networks.

In addition, we are charged with defending and promoting the existing multi-stakeholder system of Internet governance that has allowed the global information system to revolutionize how we work, educate, and express ourselves. Preserving and enabling the Internet environment for innovation is our mission. And this mission is more critical now than ever, not just to us, but to the billions of people not yet connected to the open Internet.

After last year's sometimes contentious World Conference on International Telecommunications, it seemed that an unbridgeable divide was potentially opening between the developing world and developed economies on how best to address the role of intergovernmental organizations in the management of international Internet-based communications. We are working to close that divide to protect the openness of the Internet and the freedom it grants innovators and citizens alike to create new services that reach the world as well as exercise their rights to speech and assembly.

Toward that end, I have some good news and a lot of hope. Last May, we were able to start changing the tone of the debate. At the International Telecommunication Union's fifth World Telecommunication Policy Forum (WTPF), participants again debated important issues like the adoption of IPv6 (the protocol that provides an identification and location system for computers on networks), promoting Internet Exchange Points, and supporting the multistakeholder model of Internet governance. As the head of the U.S. Delegation in my capacity as a Deputy Assistant Secretary, I was acutely aware of the anxiety leading up to this conference that some governments would push for an outcome pointing toward international regulation of the Internet.

Fortunately, at the event over 900 participants from more than 130 countries came together to adopt six consensus-based opinions on important subjects including the promotion of Internet exchange points and the facilitation of the transition to IPv6. None of the consensus opinions threaten the existing multistakeholder Internet governance system. This outcome validated the multistakeholder preparatory process, which brought together governments, the technical community, civil society, and academia on an equal footing. The U.S. Delegation and key private sector stakeholders were very pleased.

In the coming years, additional international proposals on Internet issues will be discussed in multiple international bodies. Specifically, the United States is preparing for future Internet-related public policy discussions at the Internet Governance Forum in Bali, Indonesia (October 2013), ICANN's Governmental Advisory Committee in Argentina (November 2013), the ITU's World Telecommunication Development Conference in Sharm el-Sheikh, Egypt (April 2014), and the ITU's Plenipotentiary Conference in Busan, Korea (October–November 2014).

You can be confident that the administration's position on Internet related proposals will continue to reflect the consistent bipartisan approach to Internet governance issues that has prevailed since the Internet's privatization in the 1990s.

Another key communications priority for the Obama administration is the World Radiocommunication Conference (WRC), which will take place in the last quarter of 2015. At WRC-15, we will address critical spectrum needs such as identifying frequencies to command unmanned aircraft by satellite and new internationally harmonized mobile allocations to progress the administration's broadband agenda. The decisions we will shape at WRC-15 will advance emerging technologies, protect essential government systems, and drive competition in an international regulatory framework hospitable to U.S. industries.

In addition to these international conferences, my office will continue to host a number of bilateral discussions on ICT issues with key engagement countries such as India, Brazil, Mexico, Japan, Korea, and the European Union. Under the stewardship of my predecessor, U.S. Ambassador Philip Verveer, these bilateral relationships have proven critical in helping to ensure strong support and collaboration on a myriad of communications and information technology issues.

As U.S. Coordinator, I will continue to promote the development of the global Internet and work to enhance our relationships and partnership with the developing world in our shared desire to expand Internet broadband access worldwide. If confirmed, I will look to you for guidance and assistance. I take your oversight authority very seriously and I know that the jobs, innovation, and discourse that the communications sector help enable in your states are critical to the economic and democratic well-being of the country.

Thank you for giving me the honor of appearing before you today. I look forward to any questions you may have.

Senator Kaine. Thank you, Mr. Sepulveda.
Ambassador McCulley.

STATEMENT OF HON. TERENCE PATRICK MCCULLEY, OF WASHINGTON, TO BE AMBASSADOR TO THE REPUBLIC OF COTE D'IVOIRE

Ambassador MCCULLEY. Thank you, Mr. Chairman.

And with your permission, I would like to recognize three people who are here with us today. First, a great friend and great mentor, retired career Ambassador Johnny Young who served four times as Chief of Mission for our country and I had the honor of serving with him in Togo.

Second, I would like to recognize Christie Arendt, our desk officer for Cote d'Ivoire, who has helped prepare me for this hearing.

And finally, Ambassador Daouda Diabate, the Ivoirian Ambassador to the United States who has joined us today.

Senator Kaine. Welcome, Mr. Ambassador.

Ambassador MCCULLEY. Mr. Chairman, I am going to recognize my wonderful family in the course of my statement, and with your permission, I will continue.

Senator Kaine. Please.

Ambassador MCCULLEY. Mr. Chairman, I am honored to appear before you today as the President's nominee to be the United States Ambassador to Cote d'Ivoire. I would like to thank President Obama and Secretary Kerry for the confidence they have placed in me and, if confirmed, I look forward to working with this committee, with Members of Congress, and others on our important relationship with Cote d'Ivoire.

I would also like to thank my wife, Renee, and our great sons, Sean and Liam, for their constant support. Renee and Liam are in Washington State at the moment, and I believe they are following this on a webcast. Sean is in Japan. I am quite certain he is sleeping. It is about 5:30 in the morning. But he has promised that he will be watching this on a recording.

Mr. Chairman, with nearly three decades of service in Africa, most recently as the U.S. Ambassador to Nigeria, I am eager to remain on the continent and, if confirmed, represent the United States in a country that we hope will once again be a political and economic hub in the West African subregion.

Mr. Chairman, I believe strongly that the success of our engagement abroad depends on our people, and I will make it my highest priority to ensure their safety, their well-being, and their security, as well as that of the private American community in Cote d'Ivoire. If confirmed, I look forward to working with interagency partners and our Ivoirian friends to improve an already excellent relationship and to promote the interests of the United States while continuing to press for the peace and prosperity the Ivoirian people deserve.

After more than a decade of instability, Cote d'Ivoire is on a corrective yet challenging path in key areas. The country held free and fair elections in 2010, and the Ivoirian Government has made progress in investigating crimes committed during the preelectoral

crisis. Yet there is much more to be done, and if confirmed, I am resolved to engage with our Ivoirian friends to promote transparency, inclusiveness, equity, and accountability.

Yet justice and reconciliation will not be successful without a credible and transparent legal process nationally and internationally that ensures the investigation of crimes committed by both sides of the conflict and holds those responsible to account, irrespective of political affiliation. If confirmed, Mr. Chairman, I will work with Ivoirian and international partners to press for progress on these critically important issues.

The economy of Cote d'Ivoire is improving, and the United States is engaging with the Ivoirian Government to address corruption and improve the investment climate in order to promote stability and economic growth. If confirmed, I will make it a priority to pursue our economic statecraft agenda supporting and advocating for American businesses that seek opportunities in Cote d'Ivoire.

I am also committed to the collective effort to advance security sector reform, as well as disarmament, demobilization, and reintegration of ex-combatants in Cote d'Ivoire. The country can, the country must, redouble its efforts in both areas in order to promote stability, protect civilians, and realize Cote d'Ivoire's considerable economic potential.

With President Ouattara's democratic election, the United States lifted restrictions on assistance to Cote d'Ivoire. The bulk of our support now goes toward global health programs focused on prevention, care, and treatment for those living with HIV/AIDS. But we are also providing assistance to support democratic institutions and support capacity building in the security sector, including in respect for human rights and on the role of professional security services in a democracy.

Mr. Chairman, Cote d'Ivoire is a keystone country in a region of growing interest to the United States, and a politically stable and economically vibrant Cote d'Ivoire will promote prosperity in the subregion. Our agenda with Cote d'Ivoire is complex, challenging, and ripe with opportunity and includes support for democracy, good governance and reconciliation, for security sector reform, and for economic recovery. If I am confirmed as United States Ambassador to Cote d'Ivoire, I will be a vigorous advocate for America as we advance our relationship with this important west African country.

Mr. Chairman, I thank you for the opportunity to appear before you today, and I welcome your questions.

[The prepared statement of Ambassador McCulley follows:]

PREPARED STATEMENT OF HON. TERENCE PATRICK MCCULLEY

Mr. Chairman, Ranking Member Corker, and members of the committee, I am honored today to appear before you as the President's nominee to be the United States Ambassador to the Republic of Cote d'Ivoire. I would like to thank President Obama and Secretary Kerry for the confidence they have placed in me and, if confirmed, I look forward to working with this committee, other Members of Congress, and others on our important relationship with Cote d'Ivoire. I would also like to thank my wife, Renée, and my sons, Sean and Liam, for their constant support. Renée and Liam are on the West Coast at the moment, and Sean is in Japan. They are watching the webcast of this hearing. With nearly three decades of service in Africa, most recently as the U.S. Ambassador to Nigeria, I am eager to remain on the continent and, if confirmed, represent the United States in a country that we hope will once again be a political and economic hub in the West African subregion.

Mr. Chairman, I believe strongly that the success of our engagement abroad depends on our people, and I will make it my highest priority to ensure their safety, security, and well-being, as well as that of the American community in Cote d'Ivoire. If confirmed, I look forward to working with interagency partners and our Ivoirian friends to improve our already excellent relationship and promote the interests of the United States while continuing to press for the peace and prosperity the Ivoirian people deserve.

After more than a decade of instability, Cote d'Ivoire is on a corrective if challenging path in key areas. The country held free and fair elections in 2010, and the Ivoirian Government has made progress investigating crimes committed during the post-electoral crisis. Yet there is much more to be done, and I am committed to engaging with our Ivoirian friends to promote transparency, inclusiveness, equity, and accountability.

In the current post-crisis climate, where significant rifts remain and with the 2015 Presidential elections on the horizon, serious efforts must be made to advance national healing. Justice and reconciliation will not be successful without a credible, transparent legal process, nationally and internationally, that ensures the investigation of crimes committed by both sides of the conflict and holds those responsible to account, irrespective of their political affiliation. If confirmed, I will work with Ivoirian and international partners to press for progress on these critically important issues.

The economy of Cote d'Ivoire is improving, and the United States is working with the Ivoirian Government to address corruption, and improve the investment climate in order to promote stability and economic growth. If confirmed, I will make it a priority to pursue our economic statecraft agenda, supporting and advocating for American businesses that seek opportunities in Cote d'Ivoire.

I am also committed to the collective effort to support Cote d'Ivoire's security sector reform; as well as disarmament, demobilization, and reintegration of ex-combatants. The country can—and must—redouble its efforts in both areas in order to promote stability, protect civilians, and realize Cote d'Ivoire's significant economic potential.

With President Ouattara's democratic election, the United States lifted restrictions on our assistance to Cote d'Ivoire. The bulk of our assistance goes toward global health programs focused on prevention, care, and treatment for those living with HIV/AIDS. We also provide assistance to strengthen democratic institutions to build strong systems of governance and rule of law. We advance maritime security in the subregion and we provide training to build the capacity of Cote d'Ivoire's military and police, including in respect for human rights, and on the role of a professional security services in a democracy.

Cote d'Ivoire is a keystone country in a region of growing interest to the United States, and a politically stable and economically vibrant Cote d'Ivoire will promote prosperity in the subregion. Our agenda with Cote d'Ivoire is complex, challenging, and ripe with opportunity, including support for democracy, good governance and reconciliation, for security sector reform, and for economic recovery. If I am confirmed as U.S. Ambassador to Cote d'Ivoire, I will be a vigorous advocate for America as we advance our relationship with this important West African nation.

Mr. Chairman, and members of the committee, I thank you for the opportunity to appear before you today, and I welcome your questions.

The CHAIRMAN. Thank you, Ambassador McCulley.
Ambassador Swan.

**STATEMENT OF HON. JAMES C. SWAN, OF CALIFORNIA, TO BE
AMBASSADOR TO THE DEMOCRATIC REPUBLIC OF THE
CONGO**

Ambassador SWAN. Mr. Chairman, I am honored to appear before you today as the nominee to serve as U.S. Ambassador to the Democratic Republic of the Congo, and I am grateful to the President and the Secretary for the confidence they have placed in me.

I will briefly summarize some longer prepared remarks, if they could be entered into the record.

Senator KAINE. Without objection.

Ambassador SWAN. First, before beginning more formal testimony, I would like to recognize my wife, Daphne Michelle Titus,

and my children, Mitchell and Garner, who regrettably cannot be with us here today, but I am thinking of them.

Mr. Chairman, as you noted in your opening remarks, I have devoted most of my Foreign Service career to Africa and, indeed, much of it to the Democratic Republic of the Congo, including service as desk officer in the mid-1990s and then a 6-year period when I was assigned to our Embassy in Kinshasa. And if confirmed, I look forward to drawing on this extensive background to advance our interests in the Democratic Republic of the Congo and the Great Lakes.

And indeed, Mr. Chairman, the United States has significant interests in the Democratic Republic of the Congo. It is the largest country in sub-Saharan Africa and borders on nine other nations. It has an enterprising population of some 70 million people, and it is of global environmental significance because of the Congo Basin rainforest.

A stable, prosperous, and well-governed Congo would advance peace and development throughout central Africa. Yet regrettably, as you noted, Senator, in recent decades the Congo has instead been more notable for recurring cycles of cross-border conflict, internal rebellion, human rights abuses, sexual and gender-based violence, and the like.

I see three sets of issues as of particular importance to advance American interests in the Congo over the next several years.

First, we must intensify efforts to help the Congolese resolve the longstanding conflict in eastern Congo. There are many dimensions to this decade-long human tragedy, including recurrent meddling by the neighbors, proliferation of armed groups, lack of sufficiently capable and professional Congolese security forces, and a culture of impunity for human rights abuses.

This array of challenges may seem daunting, but we are encouraged this year by the opportunity for peace presented by a framework agreement for peace, security, and cooperation that was signed among 11 countries in the Great Lakes region earlier this year. And that framework agreement has now been bolstered in recent months by actions such as an unprecedented joint visit by the U.N. Secretary General and the President of the World Bank to the region, by the appointment by Secretary General Ban Ki-moon of the former Irish President, Mary Robinson, as special envoy, and by adoption by the Security Council of an expansion of the U.N. peacekeeping operation to include a robust intervention brigade to pursue negative forces and militia groups in eastern Congo.

The United States has also stepped up its already considerable efforts in the Great Lakes region with, for example, the appointment of former Senator Russell Feingold, a former member of this committee, as the special envoy for the Great Lakes, and just last week, Secretary of State Kerry, also a former member of this committee, hosted a meeting at the U.N. Security Council focused on the Great Lakes.

In addition to the international attention on eastern Congo, a second main area of focus must be support for improved Congolese governance. With strong international assistance, the DRC held national elections in 2006 that were generally hailed as credible and reflective of the will of the people. But we noted a setback with the

flawed 2011 elections. The Congolese now have the opportunity of upcoming regional and perhaps local elections in 2014 and 2015 and then a Presidential election in 2016 to put that right and ensure that they are afforded a free and fair choice of leaders.

A third emphasis must be on continuing to work to unleash the economic potential of this resource-rich country and its people. This means working to develop the human capital of that population. It also means working to foster a stable, predictable, and attractive investment climate in order that Congo's potential can be developed and also developed by American companies that already are invested there.

Finally, let me mention two overarching priorities that will guide my work every day, if I am confirmed as Ambassador. First, of course, I will give priority to the well-being of all American citizens in the Congo, and they number in the thousands. I also take, with utmost seriousness, my responsibility, if confirmed, to lead and ensure the safety of the entire U.S. Embassy team, including American staff of all agencies, their family members, and our invaluable Congolese colleagues.

Mr. Chairman, once again I am honored to testify before your distinguished committee and stand ready to answer any questions. Thank you.

[The prepared statement of Ambassador Swan follows:]

PREPARED STATEMENT OF AMBASSADOR JAMES C. SWAN

Mr. Chairman, members of the committee, I am honored to appear before you today as the nominee to serve as U.S. Ambassador to the Democratic Republic of the Congo. I am grateful to the President and Secretary of State for the confidence they have placed in me. Before beginning my formal testimony, I would like to recognize my wife, Daphne Michelle Titus, and children, Mitchell and Garner, who regrettably are unable to be here in person today.

Mr. Chairman, I have devoted the majority of my Foreign Service Career to African issues, most recently serving as Special Representative for Somalia since 2011, and prior to that as Ambassador to the Republic of Djibouti (2008–2011). If confirmed as Ambassador to the Democratic Republic of the Congo, I would return to a portfolio I have known well since the mid-1990s. I served as Desk Officer for then-Zaire (1996–1998) during the rebellion that toppled Mobutu Sese Seko after 32 years in power and during the turbulent first year of his successor, Laurent Kabila. I was then assigned to our Embassy in Kinshasa for 6 years (1998–2004), including 3 years as Deputy Chief of Mission, during the peace process that led to the withdrawal of six foreign armies from Congo and an internal political settlement that resulted in a transitional government to prepare for nationwide elections. I later returned to Washington as Director of Analysis for Africa in the Bureau of Intelligence and Research (2005–2006) and then Deputy Assistant Secretary for African Affairs (2006–2008). In both of these positions, DRC issues were also at the top of my agenda. If confirmed, I look forward to drawing on this extensive background to engage the Congolese Government and people to advance the wide-ranging U.S. agenda in the DRC and the Great Lakes.

U.S. INTERESTS IN THE CONGO

Mr. Chairman, the United States has significant interests in the Democratic Republic of the Congo. It is the largest country in sub-Saharan Africa (as large as the United States east of the Mississippi) and borders nine other nations. It has an enterprising population of some 70 million people, vast natural resources, and global environmental significance due to the Congo River Basin rainforest. With its size and geography, Congo's chronic instability has a destabilizing effect in the broader central Africa region, which stretches from the Atlantic to the Indian Ocean. A stable, prosperous, and well-governed DRC would advance peace and development throughout central Africa and the Great Lakes and could go a long way in fostering regional economic integration and realizing the Congo's significant energy potential. Regrettably, in recent decades, the DRC has instead been more notable for recurring

cycles of cross-border conflict, internal rebellion, human rights abuses, sexual and gender-based violence, humanitarian crises, and weak human development indicators. As a sign of the challenges faced by the DRC and the help it needs, the country hosts the second-largest U.N. Peacekeeping Operation in the world, the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO).

In preparing to serve as Ambassador to the Democratic Republic of the Congo, if confirmed, I see three sets of issues as of particular importance to U.S. interests over the next several years.

CONFLICT IN EASTERN CONGO AND SECURITY SECTOR REFORM

First, we must intensify efforts, working with our regional and international partners, to help the Congolese resolve the longstanding conflict in their eastern provinces. There are many dimensions to this decades-long human tragedy, including recurrent meddling by the neighbors, the proliferation of armed groups, the lack of sufficiently capable and professional Congolese security forces to secure the region, impunity for human rights abusers, a horrific pattern of sexual and gender-based violence, protracted internally displaced and refugee populations, the ongoing illegal trade in conflict minerals, the absence of government services, and inadequately representative regional and local governance structures. A durable response to the conflict in the east will require a comprehensive approach that addresses all these factors, among others. A number of U.S. Government agencies, both at State and at the United States Agency for International Development, will play an important role in developing this comprehensive response, as well as in continuing to ensure the provision of life-saving humanitarian assistance.

While this array of challenges may seem daunting, we are encouraged this year by the opportunity for peace presented by the February signing of the Peace, Security and Cooperation Framework agreement amongst 11 countries in the region and the resulting increase in international attention and energy being devoted to the Congo and the Great Lakes. To address the root causes of conflict and instability in the region, the Framework agreement includes commitments by the DRC Government to undertake much-needed security, governance and economic reforms. The signing of the Framework also launched a comprehensive peace process, which has been bolstered in recent months by U.N. Secretary General Ban Ki-moon and World Bank President Jim Kim's historic joint visit to the region, the World Bank's commitment of \$1 billion in development assistance under certain conditions, the appointment of former Irish President Mary Robinson as U.N. Special Envoy for the Great Lakes to oversee the peace process, the U.N. Security Council's approval of a robust 3,000-person Intervention Brigade to strengthen MONUSCO's military capability, and the refocusing of the Congolese Government's commitment to significant security sector reform. Along with other international partners, the United States is increasing its already considerable focus on the Great Lakes, for example, Secretary Kerry's appointment of former Senator—and chairman of this subcommittee—Russell Feingold as U.S. Special Envoy for the Great Lakes, the Secretary's convening and chairing a Ministerial Debate at the U.N. Security Council just last week, and the active congressional engagement on Congo and Great Lakes issues. While a great deal of work remains to implement the Framework agreement and to translate these positive steps into lasting progress on the ground, the increased attention and commitment I have noted is an important start.

I am also encouraged by the DRC's commitment in the Framework to undertake security sector reform, or SSR, a key objective in the DRC. The people of the Congo will not know safety and security until the country has a military capable of securing the territory and protecting the people. If confirmed, I look forward to working with the DRC Government to prioritize SSR, including the army, police, and judiciary, as an integral part of combating the conflict in the East, eventually paving the way for the eventual exit of MONUSCO, and in upholding the Framework agreement. I welcome the DRC Government's recent publication of its army and police reform plans, but much more needs to be done to implement both plans, including implementing a more robust vetting system, increasing the capacity of the judicial sector, and ending impunity across all military ranks.

ELECTIONS AND GOVERNANCE

In addition to the international attention on eastern Congo, a second main area of focus must be support for improved Congolese governance. Only through effective and representative governance at the national, regional, and local levels can Congolese leaders truly speak for their people and make legitimate decisions to address the critical policy issues facing the country. With strong international support, the

DRC held national elections in 2006 that—while not perfect—were generally hailed as credible and reflective of the will of the people. Electoral assistance from the United States and other partners was catalytic in helping Congolese institutions prepare for that vote. Regrettably, the flawed 2011 elections were widely perceived as a step backward. We now have the opportunity of upcoming regional—and possibly local—elections in 2014 and 2015 and then the next Presidential election in 2016 to ensure that the Congolese people are afforded a free and fair choice of their leaders, consistent with the Congolese constitution. This focus on elections must of course also be matched by continued attention to building strong legislative, administrative, judicial, and civil society institutions to sustain improved governance beyond polling day.

DEVELOPMENT AND ECONOMIC GROWTH

A third emphasis must be on continuing to work to unleash the economic potential of this resource-rich country and its people. This means working to develop the human capital of 70 million Congolese by improving their health and education and ameliorating the country's infrastructure. USAID is a key partner in these endeavors, among many others.

In order to unleash Congo's potential, we will also need to help foster a stable, predictable, and attractive investment climate. By helping the DRC increase transparency in public finances, decrease corruption, and expand the legal and licit trade of natural resources we can help boost private sector growth that will benefit not only the Congolese population but also American firms, such as those already invested in the manufacturing, mining, oil, and telecommunications sectors in Congo. Vast natural resources in agriculture, energy, minerals, and many other sectors present real opportunities for rapid economic growth—even beyond recent levels of approximately 7 percent real GDP growth per year—if the right enabling environment can be established. The DRC's resources, of course, also include priceless environmental assets, notably the Congo River Basin Rainforest, the second-largest in the world after the Amazon, and the Congo River and its tributaries, which has the hydropower potential to help provide electricity to much of the entire continent.

AMERICAN CITIZENS AND THE EMBASSY COMMUNITY

Finally, let me mention two overarching priorities that will guide my work every day if confirmed as Ambassador to the Democratic Republic of the Congo. The well-being of all American citizens will of course be my top priority. Americans in the DRC, working in private business, for nongovernmental organizations, on missionary programs, with U.N. agencies, or in other endeavors number in the thousands. I also take with utmost seriousness my responsibility, if confirmed, to lead the entire U.S. Embassy team, including American staff of all agencies, their family members, and our invaluable Congolese colleagues and to ensure their safety. I will advocate tirelessly for our team to have the necessary management platform and security support so that we may represent the American people to maximum effect in the DRC.

Mr. Chairman, once again, I am honored to testify before this distinguished committee and stand ready to answer any questions. Thank you.

Senator KAINE. Thank you, Ambassador Swan.

We will proceed to questions. I will begin and I may be relieved by Senator Menendez. We will try to tag team on the votes a bit.

I will start with just a thank you, especially to those of you who are career State, and your families who are here. I am just really struck by the challenges of your careers. I know there are upsides. I know there is excitement. But the frequent moves and the challenges that that pose for spouses and kids are very, very notable. And you are all to be commended for being willing to serve in these capacities, and I thank you for it.

First to Mr. Wagar, I am really fascinated with the Singapore story as a small fishing village not that many decades ago that has become our 17th-largest trading partner and become really a global brand in a way of how innovation can power an economy. It is not a piece of real estate that has vast national resources, but they have a very innovative and entrepreneurial spirit.

Many of the innovations in Singapore were innovations that they went out and found, including finding them here in the United States. They had a significant effort to improve their educational system where they came to the United States and decided that rote memorization learning techniques were not getting them far enough and they needed to learn American qualities of entrepreneurship and creativity. They developed an educational philosophy called "teach less, learn more" that really focused on the learner even more than the teacher. And so they had a wonderful innovation track record.

I know as an innovator, and so I just wanted to ask you about how you think in your role as Ambassador you can both be a champion of American innovation but also bring back good innovation ideas and continue to deepen the relationships between our two countries around that central theme.

Mr. WAGAR. Thank you, Senator, and it is a great question.

One of the most fascinating things that I have learned, as I have gotten more and more familiar with the day-to-day mechanism of Singapore, is their commitment to excellence that crosses every sector and high standards and high rewards when they are met.

Senator, I am sure you are aware that Yale is starting a new project in Singapore partnering with the National University of Singapore. It is the first liberal arts college I think in Asia but certainly in Singapore. And their first class right now, I understand, is in New Haven and will be going back. They have 154 students, and there were 11,000 applicants for those spots. So this is the first year that they are trying to even go further than they have gone to, I think, experiment with our liberal arts education.

This is the kind of innovation that certainly through our shared values we can work with Singapore on a daily basis, and it is something that I think is the role of any ambassador but I think it is particularly important in Singapore.

Senator KAINE. Thank you, Mr. Wagar.

Mr. Sepulveda, I would like it if you might talk a little bit about the debates going on in the International Telecommunications Union and, if you would, talk a little bit about the administration's approach to advancing our telecom-Internet objectives, technology objectives, through the ITU and what is the administration's approach in those debates for addressing concerns raised by other governments about governance issues. These have been much debated and will be much debated, and I know many of our allies and countries around the world have significant concerns. What is the administration's approach to dealing with those concerns?

Mr. SEPULVEDA. Thank you very much, Mr. Chairman.

It is a longer conversation but the ITU is a body within the United Nations, a 150-year-old body. It started as the International Telegraph Union and evolved over time. Its primary purpose is to ensure that we have global communications that are interoperable, so satellite services and spectrum services, as well as wired services, historically the telephone system, that those communications work on a global basis.

There has been some question relative to the Internet because the Internet is not person-to-person communications but computer-to-computer communications which has been outside the jurisdic-

tion of the ITU and has been governed by an international multi-stakeholder system in which academics, scientists, industry, and governments all play a role in ensuring that the global information system that is the Internet continues to operate and that the technological and day-to-day functions of the Internet are managed by technological experts.

So it is our goal as the Government of the United States to continue to promulgate that system because it has worked quite well. In Reston, Virginia, for example, you have one of the capitals of the Internet where whole networks come together, and you see this Internet exchange of information and exchange of services working extremely well to generate innovation, democratic discourse, entrepreneurship, and we want to continue promoting that.

Now, the challenge at the ITU is that there are a number of developing countries who feel like they are not reaping the benefits of the Internet, that they are predominantly consumers of services. They are not producing the kind of services on the Internet that they would like to see. Their deployment is not as wide as they would like to see, and the prices are not where they would want to be.

And we share all of those concerns, and there are a number of ways to address those through the existing multistakeholder system, through capacity-building and cooperation between our Nation directly with the developing world. And the administration's current strategy is to go out to the developing world—I was just in South Africa and other parts of the developing world—to ensure that they know that we care deeply about ensuring that their people are connected to what is the world's most revolutionary communications system and that we want to see them reap those benefits and we are prepared and willing to provide the technical assistance necessary to do that.

Senator KAINE. How is the aftermath of the news about Snowden, the Snowden affair, affecting particularly our relations with European partners on some of these issues that are pending at the ITU? Just give your sense of that, please.

Mr. SEPULVEDA. Well, yes, sir. As you know, President Obama has directly reached out and worked with German Chancellor Merkel and others, and there is ongoing dialogue between the intelligence services in our partner countries, among our allies with our intelligence services. That is well outside of the scope of my work. But the way that it affects our work is to ensure that you do not get a conflation of these issues so that we do not have a federated system of the Internet in which there would be a cloud for Europe and a cloud for China and a cloud for India and we would lose the economies of scale and efficiencies and the benefits that come with cloud computing in a global network.

We are taking the concerns of our colleagues abroad very seriously and are working with them on a daily basis to ameliorate whatever concerns they might have.

Senator KAINE. Great. Thank you.

Ambassador McCulley, I would like you to talk a little bit further about the national reconciliation efforts in Cote d'Ivoire and how they are proceeding and what would be your sense about their progress going forward.

Ambassador MCCULLEY. Thank you, Mr. Chairman. Let me first start by thanking you for your generous comments about our Foreign Service families. I would not have the honor to appear before you today without friends and colleagues and mentors like Ambassador Johnny Young. But of equal importance, much greater importance, is the support that I have enjoyed from my family over the years, particularly the strength and resilience and counsel of my wife, Renee, and the courage and adaptability of my sons. So thank you for those comments.

Mr. Chairman, reconciliation is absolutely essential to both the political development and economic recovery in Cote d'Ivoire. The country, as you know, went through a divisive civil war. And the reconciliation process needs to proceed, and that means reform of the security sector. It means demobilization of ex-combatants. It means accountability for those who committed crimes on both sides of the political divide, and that means justice in an evenhanded fashion.

This process is moving forward, Mr. Chairman. The Government of Cote d'Ivoire has established a national security council. They have a security sector reform strategy. The U.N., UNOCI, the U.N. mission in Cote d'Ivoire, is deeply engaged in promoting security sector reform. The United States is supporting that effort through provision of advisors. The justice sector is in the process of being rebuilt. And Cote d'Ivoire has had successful elections both legislative and municipal and will be heading toward a critically important election in 2015 in the Presidency.

It is important, going forward, that that process of reconciliation be accompanied by accountability; accountability for those who committed crimes during the post-electoral crisis. And as we discuss this issue with our Ivoirian friends, we have said that it is important that the national process be credible and transparent and that Cote d'Ivoire, at the same time, work with the International Criminal Court on the international process to assure accountability and transparency because that is really the only way to achieve reconciliation, and without reconciliation, Cote d'Ivoire's economic recovery cannot proceed effectively, Mr. Chairman.

Senator KAINE. Thank you, Ambassador McCulley.

Ambassador Swan, a question about economics and natural resources in the DRC. How would you characterize U.S. and other efforts, multinational attempts, to stem adverse impacts of illicit resource extraction in eastern Congo? I know Dodd-Frank contained a special reporting requirement with respect to this. Is that a useful tool or something that would make us feel good but that would not ultimately serve the purpose? And is there more that we can do that is calibrated toward accomplishing the right objective?

Ambassador SWAN. Thank you very much, Senator.

Congo is a deeply resource-rich country, and if those resources can be properly channeled, developed, and exploited for the benefit of the people, this can truly be an engine of growth not just for the country but for the broader region.

Unfortunately, in many cases, certain minerals, known widely as "conflict minerals," have regrettably contributed, in fact, to cycles of violence and actually financed militia forces and others.

The provisions of Dodd-Frank, indeed, are designed to get at that by seeking to provide greater traceability and accountability of minerals entering the broader economic system.

The United States has supported and encouraged firms that are operating in Congo to comply with the provisions of this legislation. Their initial reporting requirement will be due in 2014 and we have urged American firms to develop the necessary information in order to be able to respond to that requirement of the legislation.

Moreover, through the U.S. Agency for International Development, we have been working on a partnership arrangement that includes both NGOs, civil society organizations, and firms that are operating in the minerals sector in Congo as a way to develop further information about additional steps that could be taken to try to ensure that conflict minerals do not enter the broader economic stream.

It continues also to be an issue that we raise regularly with the Congolese Government as an important issue that will require their continued and ongoing attention.

Senator KAINE. Thank you, and I am going to now turn the gavel back over to the Chair who has his own questions.

The CHAIRMAN [presiding]. Well, thank you very much. I wanted to relieve Senator Kaine so he can go vote. We have a series of up to seven votes. So we are a little bit between and betwixt.

One or two final questions. Unless there are members who wish to do so, we can excuse this panel.

Mr. Wagar, you are familiar, because you and I had an opportunity to discuss the case of Shane Todd who is a U.S. citizen who was lost and who died in Singapore. And it is an important case to us. And I would hope that upon your confirmation, you would raise this issue. We have come a long way with the Singaporeans in this from where we started, but it is a continuing case that not only the Chair but Senator Baucus as well as Senator Tester, whose citizen home State is from—is an important issue. So I assume that we can count on you to continue to pursue that case upon your becoming the Ambassador.

Mr. WAGAR. Absolutely, Senator.

The CHAIRMAN. I just met with the Japanese Ambassador because we are going to be having a trip to Japan during the August recess. And I was asking him what are your goals here because I understand you and the Singaporeans are getting together as it relates to TPP. And they have been good allies and certainly good economic partners at the end of the day. But I wonder sometimes what their goal is at the end of the day to try to pursue a mutual effort as it relates to their strategic pursuit in TPP. So he was very diplomatic, but he basically gave me harmonization of global rules which, of course, we are for harmonization of global rules, but how they cut depends a great deal.

So I want to commend that to your attention because, obviously, there are a lot of concerns here domestically by the domestic automotive industry, and yet there are other opportunities in many parts of our sector. So this is going to be, I think, one of the critical assignments that you will have even though you are not going to be negotiating the whole TPP, but you are going to be having a bi-

lateral relationship in which our messaging is going to be very important. So I look forward to your efforts in that regard.

Mr. WAGAR. Thank you, Senator, and I look forward to working with this committee.

The CHAIRMAN. Now, with reference to Mr. Sepulveda's position—congratulations to all of you on your nominations. I think Senator Kaine may have pursued this, but I want to get a sense of whether you think your challenges were heightened as a result of Mr. Snowden's actions? And if so, how do we continue to overcome those challenges? Because obviously it is in the global interest of the United States playing a global leadership position in this regard in telecommunications and information technology in the world. So what do you think will be your challenge? And I apologize if you already addressed this question, but it is important to me.

Mr. SEPULVEDA. Mr. Chairman, thank you very much for the question.

As you know, in the short term, obviously, this raises a number of diplomatic challenges. The President has reached out at the highest levels to our colleagues abroad. The Secretary has as well to ensure that the intelligence communities work with each other on those questions relative to what nations can do to protect themselves in an age of mass information and the Internet.

As it relates specifically to the economic aspects of our work and the diplomatic work that we do abroad, our goal is to retain an international, global, functional, and open network. And I think as more information comes out about how these different areas of governance play in terms of how our Government deals with these situations, you will see that we remain the strongest champion for Internet freedom in the world, whether that be the freedom to engage in commerce or the freedom to engage in discourse, assembly, speech. And that is the message that we are taking out to the world.

Particularly as it relates to the developing world, I know you are deeply concerned about much of the developing world particularly in Latin America. We have built very strong relationships in Colombia, Chile, and elsewhere and are working with our colleagues in Brazil to get a united and regional understanding of the virtues and value of having an open Internet, of having open communications, and having an open platform for entrepreneurship.

So in the short term, yes, the disclosures have led to some degree of diplomatic difficulty, but we believe that through continued discourse, through open engagement at the highest levels throughout both the national security community and our economic channels, that we will continue to be able to protect what is the most revolutionary communications system the world has ever seen, which is the Internet.

The CHAIRMAN. Mr. McCulley, let me ask you. How do you view the success of the Cote d'Ivoire Government in reviving the economy of the country and particularly in creating employment especially for demobilized former combatants?

Ambassador MCCULLEY. Thank you for the question, Mr. Chairman.

I think the Ivoirian Government has made enormous strides in bringing the country back from a position of considerable decline. Cote d'Ivoire, before the coup in 1999, represented about 80 percent of the West African Monetary Union's gross GDP. That had fallen considerably over 10 years of crisis. It has now come back to the point where Cote d'Ivoire represents 40 of the West African Monetary Union's GDP. I think that is a signal and a symbol of President Ouattara's success in building an economic team to address Cote d'Ivoire's economic decline.

But you are correct. In order to proceed to the most difficult part of demobilization, disarmament, and reintegration, it is critically important to provide jobs for the some 64,000 ex-combatants who need to be demobilized. And so the government needs to do more particularly in creating conditions that attract investment especially in the agricultural sector to grow the economy.

Senator, if confirmed, my goal will be to continue that dialogue with the Government of Cote d'Ivoire to encourage them to take greater steps to combat corruption, take greater steps to create a better investment climate, a more transparent public procurement process so that Cote d'Ivoire can benefit from its considerably advantages, a great port, a significant cocoa sector, to grow its economy to create the kind of jobs that will provide employment for the number of ex-combatants, to continue with economic recovery, and to conclude this important process of political and economic reconciliation, Senator.

The CHAIRMAN. And finally, Mr. Swan, what do you think about—the President has appointed a special envoy to the Great Lakes region. Given the heightened interest in the conflict in the eastern DRC, in your view how successful have past appointments of special envoys been in focusing the U.S. Government's attention on the Great Lakes conflict? And what more can we do to elevate this issue?

Ambassador SWAN. Thank you very much, Senator, for the question.

Mr. Chairman, former Senator Feingold's appointment as a special envoy for the Great Lakes I think is a further signal of the additional attention that the United States—

The CHAIRMAN. Excuse me. I am sorry.

I want to hear your answer and I cannot do it when staff was talking in my ear. So go ahead.

Ambassador SWAN. Yes, Mr. Chairman. The appointment of former Senator Feingold as a special envoy for the Great Lakes I think is a strong additional signal of U.S. interest in the Great Lakes region and particularly in trying to help the region resolve the conflict in eastern Congo.

It should not be seen, however, as an isolated measure being taken by the United States. We have also seen just last week Secretary Kerry's personal engagement by convening a meeting at the ministerial level in New York. And that meeting itself should be seen in the context of a broader international effort to bring further attention to this problem set. An international effort reflected particularly in a framework agreement, was concluded among the countries of the region. That has been reinforced by recent travel of the U.N. Secretary General to the region, by the appointment of

a U.N. special envoy, former Irish President Mary Robinson, and by efforts through the Security Council to ensure that there is a more robust capability of the peacekeeping operation there.

So despite the, frankly, huge challenges that we see still in eastern Congo and in the Great Lakes region, there is an intensified energy and new focus, and we very much believe that the appointment of someone of the caliber and the deep knowledge of Africa represented by Russell Feingold adds to that and will, indeed, contribute to our efforts to assist in resolving the situation.

The CHAIRMAN. On a different topic, what about the election process? We put a lot of effort in 2006. It turned out to be a pretty successful election process. In 2011, there was a lot of dispute and concern about the results. How do we move forward and prepare for the appropriate next set of elections that ultimately can create a sense of confidence and transparency and honesty in the process?

Ambassador SWAN. Mr. Chairman, the 2006 elections were quite successful. I think that a good deal of the reason for that was related to catalytic U.S. involvement several years in advance in terms of assisting the Congolese both with the constitutional reform process and with putting in place a capable electoral commission and drafting electoral legislation. So I think the lesson of 2006—and I think it is a lesson that we learned in other electoral cases also—is that engagement must happen as far upstream as possible to help shape the whole environment around which the elections will take place.

And I believe that there is an opportunity, as we now look out to planned regional and provincial elections in 2014 or 2015, then the next Presidential election in 2016, that if we are able to engage early, along with other partners, in support of the Congolese, that we do have an opportunity to help them shape this to be a much more successful election. But we will need to engage early. I can assure you, Senator, that if I am confirmed for this position, that will be a high priority for me.

The CHAIRMAN. I appreciate hearing that.

Well, I understand there are no members that were seeking to at least appear and ask questions. There is a variety of votes going on. So with the thanks of the committee to all of you for your willingness to serve, the record will remain open until the close of business today. If there are any questions, we urge you to answer them because it is the Chair's intention to seek to place these nominees at a business meeting toward the end of the week so that we can get you on to your posts and begin to represent America abroad. And we thank you all for joining us.

The Chair will call the committee into recess so that the tranche of votes that are presently before the floor can be voted on by members. And then Senator Markey will return and chair the final panel of nominees here. So we ask those nominees to bear with us as we deal with votes on the floor. Until then, the committee stands in recess.

[Recess.]

Senator MARKEY [presiding]. We will reconvene the committee, and we will begin by hearing from John Phillips. He is the grandson of Italian immigrants. He is a leading attorney and litigator. His ability to negotiate and his legal acumen will serve the United

States very well. We recognize you, Mr. Phillips, for an opportunity here to address the committee.

STATEMENT OF JOHN R. PHILLIPS, OF THE DISTRICT OF COLUMBIA, TO BE AMBASSADOR TO THE ITALIAN REPUBLIC, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR TO THE REPUBLIC OF SAN MARINO

Mr. PHILLIPS. Thank you, Senator.

Let me start out by first congratulating you on your recent election. I understand this is your first hearing.

Senator MARKEY. Sitting in this chair.

Mr. PHILLIPS. Sitting in this chair. And so it is a privilege and honor for me to be your first witness of your first hearing.

Senator MARKEY. Thank you.

Mr. PHILLIPS. It is a great honor to appear here today.

First, I want to acknowledge my wife of 40 years, Linda Douglass, who spent many years up here covering this Congress as the chief Capitol Hill correspondent for ABC News, and my daughter, Dr. Katie Byrd, an emergency room doctor at George Washington University Hospital, and her husband Keith, a fire and explosives investigator here in the District. I am proud to have them with me here today. I am grateful for their love and their support.

The United States and Italy enjoy a robust and vibrant relationship, something that was on full display when President Napolitano visited President Obama in the White House as recently here as last February. And Secretary of State Kerry recently made Rome the centerpiece of his first trip to Europe as Secretary of State.

But as strong as the ties are between our leaders, the bonds between our people are what make the relationship stand out. More Americans visit Italy each year, about 5 million, than visit any other non-English speaking country. When it comes to studying abroad, Italy remains a top choice of American students, with some 35,000 a year. What is more, 20 million Americans trace their ancestry back to Italy. Italian Americans have been some of the most outstanding contributors to the growth and success of our country in a wide variety of fields.

While it may not be apparent—my last name is Phillips—I am one of those 20 million Americans with Italian ancestors. My grandparents, Angelo Filippi and Lucy Colussy, left their villages in Friuli of northern Italy to come to America over 100 years ago. They settled down in a small town near Pittsburgh where others from their hometown in Italy had come before them. When my father's older brother, my Uncle Louie, went to school for the first time, the teacher showed him how to write Filippi in English: "Phillips." So my brothers and my cousins and I have always regretted losing our distinctive Italian heritage.

My interest in Italy and in the United States-Italian relations has grown over the years from an initial desire to connect with my roots to personal engagement committed to bringing our two nations closer together. This effort has brought me to Italy 50 times in the last decade alone. I have had the honor of serving as a trustee of the American Academy in Rome, perhaps the preeminent in-

stitution in Europe promoting United States-Italian cultural exchange. I also learned a great deal about Italian local government and cultural and historic preservation when I, in 2001, invested in an abandoned group of five 800-year-old houses in Tuscany and worked over an 8-year period to bring them back to life, always mindful of, and faithful to, the region's proud cultural and historic heritage.

I believe my professional career as a lawyer involved in public policy issues over 40 years has prepared me well for this challenging new assignment. In 1970, I cofounded one of the first Ford Foundation-funded public interest law firms which, for two decades, successfully brought important cases on public policy issues.

In the mid-1980s, I worked closely with Senator Charles Grassley and Congressman Howard Berman to strengthen the Civil-War-era False Claims Act, which was designed to root out fraud against the taxpayers. Since 1986, when President Reagan signed the amendments that we worked on together into law, more than \$55 billion has been recovered by the United States Government from companies that defrauded it. My firm, Phillips & Cohen, is responsible for about 20 percent of those recoveries, or \$11 billion.

In 2009, I was appointed by President Obama to serve as chairman of the President's Commission on White House Fellowships, considered by many to be the Nation's premiere fellowship program. While I have not previously served as a diplomat, I believe my experience in public policy and public service will serve me well in leading our mission and engaging Italy on a full range of issues.

That engagement is a crucial job. Italy is a leader and contributor to peacekeeping missions worldwide and has committed to continuing its leadership role in western Afghanistan as part of the NATO mission in that country. Italy works hard with us to find resolutions to violence and unrest in many parts of the globe, including Syria and the Middle East. Italy is also an important partner for building regional stability in North Africa. We are grateful that Italy hosts approximately 15,000 U.S. military personnel at United States and NATO military bases on Italian soil.

In an increasingly globalized world, economic ties with Italy remain important for the health of the United States economy. The United States remains the largest source of foreign investment in Italy. If confirmed, I would promote United States exports to Italy and support the Transatlantic Trade and Investment Partnership as a way to boost economic growth in the United States and the EU.

Once again, Mr. Chairman and members of the committee, thank you for this opportunity. I am humbled and honored to receive this nomination. If confirmed, I look forward to working with this committee and the other Members of Congress in advancing United States policy and interests in Italy and in the Republic of San Marino. Thank you.

[The prepared statement of Mr. Phillips follows:]

PREPARED STATEMENT OF JOHN R. PHILLIPS

Mr. Chairman and members of this distinguished committee, it is a great honor to appear before you today. I want to express my gratitude to President Obama and Secretary Kerry for the trust and confidence they have placed in me with this nomination to serve as the next U.S. Ambassador to Italy and to the Republic of San

Marino. I also want to acknowledge my wife of 40 years, Linda Douglass, who spent many years up here covering the Congress as the Chief Capitol Hill Correspondent for ABC News, my daughter, Dr. Katie Byrd, an emergency room doctor at George Washington University Hospital, and her husband, Keith, a fire and explosives investigator. I am proud to have them with me here today and am grateful for their love and support.

The United States and Italy enjoy a robust and vibrant relationship—something that was on full display when Italian President Giorgio Napolitano visited President Obama in the White House this past February. Secretary of State Kerry made Rome a centerpiece of his first trip abroad as Secretary and has consulted closely with our Italian partners since that time.

But as strong as the ties are between our leaders, the bonds between our people are what make the relationship between the United States and Italy stand out. More Americans visit Italy every year than any other non-English speaking country. When it comes to studying abroad, Italy remains a top choice of American students. What's more, more than 20 million Americans trace their ancestry to Italy. Italian Americans have been some of the most outstanding contributors to the growth and success of this country in a wide variety of fields.

While it may not be apparent from my last name, Phillips, I am one of those 20 million Americans of Italian descent. My grandparents, Angelo Filippi and Lucy Colussy, left their villages in the Friuli region of northern Italy to come to America to seek a better life. They settled down in a small town near Pittsburgh, where others from small towns in Italy had come before. When my father's older brother went to school for the first time, the teacher showed him how to write Filippi in American: Phillips. My brothers, cousins, and I have always regretted losing that distinctive Italian identity.

My interest in Italy and in U.S.-Italian relations has grown over the years—from an initial desire to connect with my roots, to personal engagement committed to bringing our two nations closer together. For several years now, I have had the honor of serving as a trustee of the American Academy in Rome, perhaps the pre-eminent institution in Europe promoting U.S.-Italian cultural exchange. I also learned a great deal about Italian local government and cultural preservation when I invested in an abandoned group of houses in Tuscany and worked to restore them, always mindful of, and faithful to, the region's proud cultural heritage.

I believe my professional career as a lawyer involved in public policy issues for over 40 years has prepared me well for this challenging new assignment. In 1970, I cofounded one of the first Ford Foundation-funded public interest law firms which, for two decades, successfully brought important cases on major public policy issues. In the mid-1980s, I worked closely with Senator Chuck Grassley and Congressman Howard Berman to strengthen the Federal False Claims Act, which is designed to root out and deter fraud against the taxpayers. Since 1986, when President Reagan signed the amendments we worked on into law, more than 55 billion dollars have been recovered by the U. S. Government from companies that defrauded it. My firm, Phillips & Cohen, is responsible for recovering \$11 billion of those 55 billion dollars.

Since 2009, I have been privileged to serve as Chairman of The President's Commission on White House Fellowships, considered by many to be the Nation's premiere fellowship program. Each year the Commission selects 12 to 15 outstanding candidates to be future leaders of America and to work for a year at the highest levels of government. While I have not previously served as a diplomat, I believe that, if confirmed, my experience in public policy and public service will serve me well in leading our mission and engaging Italy on a full range of issues.

That engagement is a crucial job. Italy is a leader and contributor to peacekeeping missions worldwide, and has committed to continuing its leadership role in western Afghanistan as part of the NATO mission in that country. Italy works hard with us to find resolutions to violence and unrest in many parts of the globe, including Syria and the Middle East. Italy is also an important partner for building regional stability in north Africa. We are grateful that Italy hosts approximately 15,000 U.S. military and civilian personnel at U.S. and NATO military bases on Italian soil.

In an increasingly globalized world, economic ties with Italy remain important for the health of the U.S. economy. The United States remains the largest source of foreign investment in Italy. If confirmed, I would promote U.S. exports to Italy and support the Transatlantic Trade and Investment Partnership (TTIP) as a way to boost economic growth in the United States and the EU.

I would be remiss if I did not mention the relationship between the United States and San Marino. The United States cooperates closely with this small but proud nation on many important issues, including the fight against international terrorism and serious crime. We also maintain excellent collaboration in the United Nations and other international organizations.

Once again, Mr. Chairman and members of the committee, thank you for this opportunity. I am humbled and honored to receive this nomination to serve as the next U.S. Ambassador to Italy and San Marino. If confirmed, I look forward to working with this committee and the other Members of Congress in advancing U.S. policy and interests in Italy.

Senator MARKEY. I thank you very much. You are an excellent choice to be Ambassador. I am sure your grandparents are very happy right now knowing that you will go back to Italy as the United States Ambassador, something I am sure that they could have never thought possible. But congratulations.

Our next nominee is Kenneth Francis Hackett, the President's nominee to be Ambassador to the Holy See. He is uniquely qualified to serve as the U.S. Ambassador to the Vatican, having served a long and distinguished career in international human development and relief.

To mention only a few highlights of Mr. Hackett's career, he served as CEO/President of Catholic Relief Services from 1993 to 2012. He is still an advisor for the University of Notre Dame Institute of Global Development and was Director of the Millennium Challenge Corporation from 2004 to 2010.

The election of Pope Francis, the first Pope from the southern hemisphere, and one who gives every indication of being fully engaged in the pursuit of social justice, gives Mr. Hackett a unique opportunity to reengage the Vatican on these issues of pressing mutual concern. His lifelong dedication to helping the less fortunate around the globe and working within Catholic institutions make him an excellent choice to be our Ambassador to the Holy See.

And finally, relevant at least to me and to Mr. Hackett, as a graduate of Boston College class of 1968, the two of us sit here today I think amazed that I am chairing and he is being nominated to represent our country at the Vatican as graduates of this Jesuit university up in Boston.

So we welcome you, Mr. Hackett. Whenever you are ready, please begin.

**STATEMENT OF HON. KENNETH FRANCIS HACKETT, OF
MARYLAND, TO BE AMBASSADOR TO THE HOLY SEE**

Mr. HACKETT. Thank you very much, Mr. Chairman. And let me extend my congratulations to you for your new position. It is wonderfully ironic that we are here together.

It is also a great honor for me to appear here today. I want to express my gratitude to President Obama and to Secretary Kerry for the trust and confidence they have placed in me with this nomination to serve as the next U.S. Ambassador to the Holy See.

Of course, I could not be here today without the love and the support of my wife, Joan, behind me, my children, Jennifer and Michael.

Growing up in Boston, I never expected that my life would be dedicated to international service. My model was my dad, a telephone worker who returned from World War II, started climbing poles for the New England Telephone Company, and rose through the ranks into senior management.

At Boston College, I studied business. You were in the smart school over at Arts and Sciences, Mr. Chairman. And I thought for

sure that I would work at a major U.S. corporation after graduation.

But as chance would have it, in my senior year, a Peace Corps recruiter convinced a friend and me to sign up for the Peace Corps, and a few months after graduation, I find myself in Ghana working in an isolated farming and fishing community. I began my journey in international service in a very rural area of a place called the Afram Plains where I was assigned to live at a Catholic mission with a priest from the former Czechoslovakia. It was 1968, the year of the Prague Spring. And as we listened on a short wave radio each night, my host would interpret and explain what was happening in his country. After 3½ wonderful years in Ghana, I knew that I wanted to dedicate my career to international relief and development.

So when I returned home from Ghana, I applied to work for Catholic Relief Services. Initially they turned me down but I was not going to give up. And finally I was hired and sent back to West Africa. I spent 18 years as President and CEO of Catholic Relief Services and a total of 40 years at the organization. And throughout those four decades, I encountered many inspired, dedicated, and heroic people in countries around the world. Whether they were lay people, clerics, or religious, they exhibited true witness to faith through acts of compassion during times of hardship and often physical danger.

During those years, I had numerous opportunities to engage with leaders of the Catholic Church in countries where CRS works. And in many cases, my work led me to the Vatican. And as you can read from my record, I served for many years as a member of the Pontifical Council Cor Unum, the Holy See's coordinating body for Catholic charitable endeavors and as the North American Vice President of Caritas Internationalis, a confederation of national Catholic charitable entities. I have met frequently with staff and the leadership of the Secretariat of State at the Holy See and other offices in the Vatican.

If confirmed, I would expand not only my connections with the Holy See in Rome, but with Catholic leaders and workers whom I came to know in over 100 countries over my 40-year career. Over the years, I have found that cooperation and communication with leaders and lay people of other faiths was crucial as well. I look forward to expanding these interreligious ties in advancing U.S. policy goals.

Recent profound social changes across the world have highlighted the important role of religion and religious tolerance in our foreign policy. The Obama administration considers religious freedom a strategic national interest and has made it a diplomatic priority. President Obama has called for integrating religious leaders in the faith community into the policy process to address the critical global issues of our day. The Holy See represents, I would suggest, one of the most significant religious entities able to affect the course of development around the world. Since President Reagan established diplomatic relations with the Holy See almost 30 years ago, the United States and the Vatican have enjoyed strong cooperation on many issues of mutual importance such as the pursuit of peace,

interreligious dialogue, environmental protection, spurring human development, and promoting human rights.

With the Senate's consent, I would look forward to continuing that work with the Holy See and its global network of dioceses, religious workers, and charitable and humanitarian agencies on these critical issues. And let me expand on just two areas that are priorities for the United States and where the global network of allies, including I believe the Catholic Church, is necessary.

The first is the area of human trafficking, an issue where our interests overlap. We have done much with the Holy See already and we look forward to doing much more on this terrible scourge.

Just recently, the Holy See welcomed President Obama's plan to reduce greenhouse gas emissions and to contribute to a resilient, low-emission world. I believe the President's plan provides a renewed opportunity to work more closely on environmental advocacy with the Holy See.

Once again, Mr. Chairman and members of the committee, thank you for this opportunity. I am humbled and honored to receive the nomination to serve as the next U.S. Ambassador to the Holy See. If confirmed, I look forward to working closely with you.

[The prepared statement of Mr. Hackett follows:]

PREPARED STATEMENT OF KENNETH FRANCIS HACKETT

Mr. Chairman and members of this distinguished committee, it is a great honor to appear before you today. I want to express my gratitude to President Obama and Secretary Kerry for the trust and confidence they have placed in me with this nomination to serve as the next U.S. Ambassador to the Holy See. Of course, I could not be here today without the love and support of my wife, Joan, and my children, Jennifer and Michael.

Growing up, I never expected that my life would be dedicated to international service. My model was my dad, a telephone worker who returned from World War II, started climbing poles for the New England Telephone Company, and rose through the ranks into senior management. At Boston College, I studied business and thought for sure that I would work at a major U.S. corporation after graduation. But as chance would have it, in my senior year, a Peace Corps recruiter convinced a friend and me to sign up. A few months later, I found myself in Ghana working with isolated farming and fishing communities. I began my journey in international service in a very rural village on the Afram Plains where I was assigned housing at a Catholic mission with a priest from the former Czechoslovakia. This was 1968: the year of the Prague Spring. As we listened to the short wave radio each night, my host would interpret and explain what was happening in his country. After 3½ wonderful years in Ghana I knew that I wanted to dedicate my career to international relief and development work.

When I returned home from Ghana, I applied to work at Catholic Relief Services (CRS). Initially, I was turned down by CRS but I was persistent and finally was hired and sent back to West Africa. I spent 18 years as President/CEO of CRS and a total of 40 years at the organization. Throughout those four decades, I encountered many inspired, dedicated, and heroic people in countries around the world. Whether they were lay people, clerics, or religious, they exhibited true witness to faith through acts of compassion during times of hardship and often physical danger.

During those years I had numerous opportunities to engage with leaders of the Catholic Church in countries where CRS works. And in many cases, my work led me to the Vatican. As you can read from my record, I served for many years as a member of the Pontifical Council Cor Unum, the Holy See's coordinating body for Catholic charitable endeavors, and as the North American Vice President of Caritas Internationalis, the confederation of national Catholic charitable entities. I have met frequently with staff and leadership in the Secretariat of State and other offices of the Holy See in the Vatican.

If confirmed, I would expand not only on my connections with the Holy See in Rome, but with Catholic leaders and workers whom I came to know in over 100 countries over my 40-year career. Over the years, I found that cooperation and com-

munication with leaders and lay people from other faiths was crucial as well. I look forward to expanding these interreligious ties in advancing U.S. policy goals.

Recent profound social changes across the world have highlighted the important role of religion and religious tolerance in our foreign policy. The Obama administration considers religious freedom a strategic national interest and has made it a diplomatic priority. President Obama has called for integrating religious leaders and the faith community into the policy process to address the critical global issues of our day. The Holy See represents, I would suggest, one of the most significant religious entities able to affect the course of developments around the world. Since President Reagan established diplomatic relations with the Holy See almost 30 years ago, the United States and the Vatican have enjoyed strong cooperation on many important issues of mutual interest such as the pursuit of peace, interreligious dialogue, environmental protection, spurring development, and promoting human rights.

With the Senate's consent, I would look forward to continuing to work with the Holy See—and its global network of dioceses, religious workers, and charitable and human development agencies—on these critical issues and others where we share a common purpose and cause. Let me expand on two areas that are priorities for the United States, where a global network of allies, including, I believe, the Catholic Church, is necessary for meaningful progress.

Human trafficking is an issue where our interests clearly overlap. The Holy See and the United States see trafficking as a human rights issue, and have already worked closely together to prevent and address this crime. Pope Francis has been at the forefront of advocacy for concerted international action to combat trafficking and is a natural partner for us. If confirmed, I will continue to work with the Holy See on this priority and build on successful programs supported by the Embassy, like the training programs for male and female religious in antitrafficking skills, strategies, and networking that have made a real difference in this fight.

Just recently, the Holy See welcomed President Obama's plan to reduce greenhouse gas emissions and to contribute to a resilient, low-emissions world. I believe the President's plan provides a renewed opportunity to work more closely on environmental advocacy with the Holy See, a priority issue for the Church, linked to its goal of safeguarding the world's resources, and making them available equally to all.

Once again, Mr. Chairman and members of the committee, thank you for this opportunity. I am humbled and honored to receive this nomination to serve as the next U.S. Ambassador to the Holy See. If confirmed, I look forward to working with you and other Members of Congress in advancing U.S. policy and interests with the Holy See. I am more than happy to answer your questions.

Senator MARKEY. Thank you.

And next is Alexa Lange Wesner. As the President of Be One Texas, Austin, Texas, she has pursued an impressive career in civic engagement and public service. She is an accomplished leader and has successfully built productive civic partnerships among the business community, all levels of government and civil society. A seasoned spokesperson, organizer, and philanthropist with lifelong multicultural experience and German language ability, Ms. Wesner will bring essential skills to the task of furthering bilateral relations with the Government of Austria, a key U.S. partner within the European Union. I am sure Ms. Wesner will prove an extremely distinguished United States Ambassador to Austria. Welcome and whenever you feel comfortable, please begin.

**STATEMENT OF ALEXA LANGE WESNER, OF TEXAS,
TO BE AMBASSADOR TO THE REPUBLIC OF AUSTRIA**

Ms. WESNER. Thank you, Mr. Chairman. And I would like to echo my colleagues in offering congratulations. Good evening, Senator Kaine.

I am honored to appear before you as President Obama's nominee to be the United States Ambassador to the Republic of Austria.

I am deeply grateful for the confidence and the trust that President Obama and Secretary Kerry have placed in me. I am humbled by this opportunity, and if confirmed, I will proudly represent our country abroad.

With the chairman's permission, I would like to acknowledge the family members who have joined me today. I particularly wish to thank my husband, Blaine, for his unwavering support in this new endeavor. I would also like to recognize my three young children, Natalie, Tennyson, and Livia, who are with their grandparents this evening. My children continue to inspire me to enter public service, just as they inspired me to take leadership positions in the non-profit sector, a segment of society that has helped strengthen our country's democracy through the promotion of civic values.

I come before you today as an accomplished business woman. If confirmed, I will bring to our Embassy in Vienna more than 15 years of founding leadership in business and not-for-profit endeavors. My professional experience has deepened my appreciation for international trade and global economic vitality. This experience will serve me well in promoting United States exports and advocating for United States firms doing business in Austria. I will also bring to bear my passion for cultivating business and social entrepreneurship. If confirmed, I will draw upon all my knowledge and experience to successfully advance United States interests in Austria and enhance our strong cooperation with this important partner.

If confirmed, I will give the highest priority to ensuring the safety of the United States citizens living, working, and traveling in Austria. I will also seek opportunities to enhance our cooperation and mutual understanding on international security issues, as Austria plays an important role in international peace and stability. Austria contributes to peacekeeping missions around the world, most notably in the Balkans and Lebanon. Austria also contributes personnel to the International Security Assistance Force mission in Afghanistan and has pledged resources through 2017 to help sustain the Afghan National Security Forces following the 2014 security transition. I will encourage Austria to continue to contribute to these important security efforts.

If confirmed, I also look forward to continuing our productive dialogue with Austria to promote the stability, democracy, prosperity, and Euro-Atlantic integration efforts of the countries of the western Balkans region.

While our approaches to regional and international issues may differ at times, the United States and Austria share many common values and perspectives. These include a commitment to reducing the threats posed by climate change and nuclear proliferation, and the promotion of economic development and environmental sustainability through new and renewable energy supplies. We also share an agenda of broad support for human rights and the rule of law, stabilization in the western Balkans, and a common vision of peace and freedom for all.

To build upon these commonalities, if confirmed, I will draw on my ability to build strong partnerships for a common cause, uniting the force of government with the private sector and NGOs. In addi-

tion, it is my hope that I can help further Austria's dedicated pursuit of a tolerant and inclusive society.

Both the United States and Austria currently occupy seats on the U.N. Human Rights Council. This gives our two countries real opportunities to ensure that our mutual aims of global security, prosperity, and the protection of human rights are achieved together. If confirmed, I will work with Austria to encourage the leadership and innovation it takes to strike that important balance.

Austria is a great friend to the United States. Indeed, this year we are celebrating our 175th anniversary of diplomatic relations between our two countries. We have strong trade and investment in both directions. We are bound together through myriad people-to-people contacts in business, the arts, education, tourism, and a host of other exchanges.

If confirmed, I pledge to do my best in advancing America's interests and values. I look forward to working with this committee and Congress in that effort.

Thank you again for the opportunity to appear before you today, and I would be happy to answer any questions.

[The prepared statement of Ms. Wesner follows:]

PREPARED STATEMENT OF ALEXA LANGE WESNER

Thank you, Mr. Chairman, Ranking Member, and distinguished members of the Senate Foreign Relations Committee.

I am honored to appear before you as President Obama's nominee to be the United States Ambassador to the Republic of Austria.

I am deeply grateful for the confidence and trust that President Obama and Secretary Kerry have placed in me. I am humbled by this opportunity, and if confirmed, I will proudly represent our country abroad.

With the chairman's permission, I would like to acknowledge the family members who have joined me today. I particularly wish to thank my husband, Blaine, for his unwavering support in this new endeavor. I would also like to recognize my three young children, Natalie, Tennyson, and Livia, who are with their grandparents today. My children continue to inspire me to enter public service just as they inspired me to take leadership positions in the nonprofit sector, a segment of society that has helped strengthen our country's democracy through the promotion of civic values.

I come before you today as an accomplished businesswoman. If confirmed, I will bring to our Embassy in Vienna more than 15 years of founding leadership in business and not-for-profit endeavors. My professional experience has deepened my appreciation for international trade and global economic vitality. This experience will serve me well in promoting U.S. exports and advocating for U.S. firms doing business in Austria. I will also bring to bear my passion for cultivating business and social entrepreneurship. If confirmed, I will draw upon all my knowledge and experience to successfully advance U.S. interests in Austria and enhance our strong cooperation with this important partner.

If confirmed, I will give the highest priority to ensuring the safety of U.S. citizens living, working, and traveling in Austria. I will also seek opportunities to enhance our cooperation and mutual understanding on international security issues, as Austria plays an important role in international peace and stability. Austria contributes to peacekeeping missions around the world, most notably in the Balkans and Lebanon. Austria also contributes personnel to the International Security Assistance Force mission in Afghanistan, and has pledged resources through 2017 to help sustain the Afghan National Security Forces following the 2014 security transition. I will encourage Austria to continue to contribute to these important security efforts. If confirmed, I also look forward to continuing our productive dialogue with Austria to promote the stability, democracy, prosperity, and Euro-Atlantic integration efforts of the countries of the Western Balkans region.

While our approaches to regional and international issues may differ at times, the United States and Austria share many common values and perspectives. These include a commitment to reducing the threats posed by climate change and nuclear proliferation, and the promotion of economic development and environmental sus-

tainability through new and renewable energy supplies. We also share an agenda of broad support for human rights and the rule of law, stabilization in the Western Balkans, and a common vision of peace and freedom for all. To build upon these commonalities, if confirmed, I will draw on my ability to build strong partnerships for a common cause, uniting the force of government with the private sector and NGOs. In addition, it is my hope that I can help further Austria's dedicated pursuit of a tolerant and inclusive society.

Both the United States and Austria currently occupy seats on the U.N. Human Rights Council. This gives our two countries real opportunities to ensure that our mutual aims of global security, prosperity, and the protection of human rights are achieved together. If confirmed, I will work with Austria to encourage the leadership and innovation it takes to strike that important balance.

Austria is a great friend to the United States. Indeed, this year we are celebrating the 175th anniversary of diplomatic relations between our two countries. We have strong trade and investment in both directions. We are bound together through myriad people-to-people contacts in business, the arts, education, tourism, and a host of other exchanges. If confirmed, I pledge to do my best in advancing America's interests and values. I look forward to working with this committee and Congress in that effort.

Thank you, again, for the opportunity to appear before you today. I would be happy to answer any questions.

Senator MARKEY. Thank you.

So now we will begin questions from the members, and we will begin by recognizing Senator Kaine.

Senator KAINE. Thank you, Mr. Chair. And it is a treat to be on this committee with you. Your background as a leader on foreign relations issues is decades-long, and it is going to be wonderful to work together in this way.

And to the nominees, congratulations to all of you. I feel personal connections. I have personal connections to two, and as a Jesuit educated former missionary in Honduras, a Jesuit Pope from the Americas is warming my heart virtually every day, including today with a front page article that made me very happy in the Washington Post. So that is all I will editorialize.

But to begin, Mr. Phillips, one of the things that we probably hear most about with respect to Italy—and I am not on the Europe Subcommittee of Foreign Relations, but the significant economic challenges and how they play in terms of the broader eurozone and the European efforts to find a path forward. If you would, just talk a little bit about the challenge currently facing the Italian Government and your sense, as you are getting ready to take this post, about the tasks ahead of them in dealing with these significant issues.

Mr. PHILLIPS. Thank you for the question, Senator.

These are challenging times for all the EU countries and particularly Italy. It has had a period of nine consecutive quarters of negative growth. Its GDP today is lower than it was 10 years ago. Italy has had a strong record of success, but it really has to confront some of the important issues that will establish growth and establish opportunity. They have a very high percentage of unemployment among youth, 40 percent right now. And so the key for Italy is to increase demand to get more of the companies, the small- and medium-sized business companies, to have access to credit. They are not getting access to credit.

Their financial problems did not stem like others did from mortgage failures or from exotic financial instruments. It is really created from a period of stagnation and no growth. And when they have, they have had a very high percentage of loans in trouble with

Italian banks, and the Italian banks today have had to increase their own capital. So they have not been able to make loans to these small businesses that have not been able to hire people. It is not unlike a lot of the other EU countries.

I think the real way out here is to figure out how to establish greater demand in the EU zone. The Transatlantic Trade and Investment Partnership treaty negotiations which are beginning—have just begun I think are really important for Italy and for EU. Everybody will benefit if they can come up with more standardized ways of exchanging materials and having agreed upon rules. That is going to be a very ambitious undertaking but I think now they need the political will to face up to a lot of the things that have stymied the growth in Italy.

I think the Italian people are resilient. I think they want to find a way out just like all of EU does. And the ways that we can help them try to get real progress on the trade agreement and really develop our relationships on trade issues with them so that growth will expand and more opportunities will expand for them.

Senator KAINE. Thank you very much, Mr. Phillips.

Ambassador Hackett, welcome. What an exciting time to be taking on your role.

And you mentioned religious freedom. I think that is a fertile ground for work between our government and you in particular and the Holy See. So much of what we deal with, sadly, on this committee is starting to take on the tones of sectarian challenges between religious factions. The hearings that we have on the Middle East—it often seems that that is at the core. We have Christian communities, Coptic communities in Egypt, and Christian communities in Syria. We have Ba'hais in the Middle East and other smaller segments of the Muslim population that feel oppression. It is a fundamental value. It is in the first amendment for a reason in our country, the freedom to worship as you please and not having an established state religion. Our birth of that idea that if you do not punish or prefer someone for their religious views, you will do the right thing by government and the right thing by religion is one of the best things about our country.

And I just would like you to talk a little bit more about how you see working with the Vatican on spreading that message of religious liberty and religious freedom because I think the partnership could be a very powerful one.

Mr. HACKETT. Thank you very much for the question, Senator.

As I mentioned, this is an important—and I just learned in the last few weeks in being briefed for this new possible assignment—an important new part of the Obama administration's agenda. Diplomatic priority is being given to it. Focus is being given to it. And it offers a great opportunity both through collaboration and joint efforts with the Holy See, of which there have already been some, but they can be expanded far beyond where they are now particularly if it is given a priority within the administration.

But even beyond that, in my understanding of where the Holy See sees this kind of issue, it takes it beyond just collaboration in a one-path way to engagement in interfaith as well as ecumenical efforts and to put behind those efforts real type of collaborations and not just dialogue. So we can work together with Jewish groups

and Muslim groups around taking care of refugees who have left Syria. This is where you put the heart into the whole religious liberty and freedom question. So I believe we can do much, much more in that regard, and I have to believe that the door is open on the Holy See as well.

Senator Kaine. Everything I have seen from the Holy See in the last few months would suggest that that would be a topic of great interest to them as well. And I will look forward to watching your progress in that way.

Ms. Wesner, finally, one of the things I think is interesting about Austria is not only the bilateral United States to Austria—and they have been a very strong ally—but also that Vienna is a city that is a very international city and a lot of international organizations like OPEC and others are headquartered there.

The one that I am really focused on that is going to be getting an awful lot of attention is the U.N.'s International Atomic Energy Agency, the inspectors. You know, we spend probably more time in this committee talking about the Iranian nuclear threat than virtually any other issue. The United States has to have a strong, credible military response to not allowing Iran to get nuclear weapons. We have to continue powerful sanctions. But there is no substitute ultimately for good diplomacy because I do not imagine Iran or any other country is ever going to back away from something because somebody else made them. There has to be strong diplomacy. There is going to be a new President of Iran in on Saturday who was elected with a strong and surprising majority vote from a public that was demonstrating a desire for reengagement with the West and with the United States. And I think the role of the U.N. agencies and particularly the IAEA in Vienna could be very powerful.

So I just want to encourage and then if you have any comments on it, I would love to hear. I just really want to encourage, take advantage of those other international partners in the international city of Vienna because some of them are—OPEC also will be playing very critical roles to broader global peace efforts in the coming years.

Ms. Wesner. Senator Kaine, thanks for the comment. I could not agree with you more. We have a trilateral mission in Vienna. There are three missions there, the United Nations and then the OSCE and the bilateral relationship, the Embassy, of course, and other international organizations that are there. And working with them is going to be very important, if confirmed. I know that I and colleagues at the trilateral missions will be working with those agencies.

Senator Kaine. Great. Thank you very much.

Thank you, Mr. Chair.

Senator Markey. I thank the gentleman.

Let me just follow up on Senator Kaine's question going to Austria again and its international role as a place where energy policy is created and ask you about natural gas in Austria. About 51 percent of its natural gas comes from Russia. And one of the issues, of course, that we have is this ongoing effort by Russia to use natural gas as an economic weapon and, as a result, a political weapon. The central European gas hub is located in Austria, and the

Russian Government has been seeking to purchase a 50-percent control or more of that.

So I guess what I was wondering about was, from your perspective, what the role do you think the United States can play with Austria in helping to create an alternative energy view that can help Austria and help other countries to break this kind of vice-like control which the Russians seek to use as part of their natural gas political strategy.

Ms. WESNER. Thank you, Senator, for the question. It is a very important issue.

As you know, Austria's petroleum company, OMV, was recently the lead support of a project, one of two competing pipelines. They were leading the Nabucco West pipeline to get gas from the Caspian Sea. Now, in June the consortium did not choose the Nabucco West pipeline, and since OMV has stated that they will now explore production and exploration in the Black Sea.

It is a very important issue for the United States and for Austria—energy diversification. And the Embassy has done great work, and if confirmed, I will continue that great work to work with the Austrian energy officials to work on their diversification of their sources and their roots as a form of energy security. It is very important.

Senator MARKEY. Thank you.

Mr. Phillips, could we talk a little bit about nuclear weapons in Italy and the role that the United States has in partnering with Italy on this issue and get your perspective in terms of the role which Italy plays as a security partner with the United States, not just in nuclear weapons deployment but also in terms of the military bases which are there in Italy and the role which it plays in helping to project American power?

Mr. PHILLIPS. Well, with respect, Senator, to nuclear weapons under the NATO program, that is not something I am fully briefed of. That is more of a NATO issue and stationing of nuclear weapons in the country. I certainly will look into it and be glad to get back to you with respect to that regarding policy.

Italy has been a tremendous partner with the United States on defense-related issues. It has played a critical role because of its strategic location especially. If you go back in the 1990s in Bosnia, the three major bases that are now stationed in Italy—American bases and NATO bases—have been utilized very effectively to provide safeguard and defense both there, Afghanistan—they are great partners in Afghanistan. There are 3,000 troops there now. They have made a commitment post-2014 to commit to spend 120 million euros a year and have their own troops there on the training of the Afghan forces after we exit. They have been very helpful and active in north Africa, in Libya, given their longstanding relationship. They were part of a no-fly zone.

It is a critical relationship for us and for all the NATO countries. And Italy has been very forthcoming and very supportive. And if confirmed and I am serving there as an Ambassador for the United States, I will want to really continue to develop that relationship because it has been so important to us.

Senator MARKEY. Good. Thank you.

Mr. Hackett, the Pope, the new Pope, has been now speaking about the poor of the world in a way which I think is refreshing for many people on the planet. Could you give your insight as someone who ran one of the major Catholic Relief organizations what you think might be a partnership that the United States could create with the Vatican and perhaps even with Catholic Relief organizations to better serve the poor people of this planet?

Mr. HACKETT. I think we have all been deeply impressed at what Pope Francis has been saying in a lot of different areas.

We have had a longstanding relationship between the development and relief efforts of our Government with Catholic organizations throughout the world. There is much more that could be done. The network of Catholic hospitals, Catholic development groups, Catholic charitable groups is enormous. It stretches from the capital cities into the most rural and isolated areas. And I believe that the people at USAID and other people in the administration, Millennium Challenge Corporation that I was associated with for a while, recognize that capacity. And I just see the time being right to expand it and to move it even further, adding dimensions of religious freedom, human rights to long-term development efforts.

Senator MARKEY. Thank you.

The gentleman from Virginia, do you have any additional questions?

Senator KAINE. No. Thank you, Mr. Chairman.

Senator MARKEY. Why do we not do this? I would like to give each one of you 1 minute just to summarize from your perspective the job that you are asking for the United States Senate to confirm you to, and just give us your 1-minute summation. We will begin with you, if we could, Ms. Wesner.

Ms. WESNER. Certainly. Thank you so much for allowing us the opportunity to talk about that.

You know, Austria-United States relations are very strong. As I said, it is the 175th anniversary of our bilateral cooperation. We are their fourth-largest trading partner. There are approximately 340 United States companies doing business in Austria. Yet, we do not want to be complacent as it relates to the economic issues of our time.

If confirmed, I would like to increase trade and use TTIP as a tool to do so. I would like to further the security cooperation that my predecessor has begun. And I would like to continue the dialogue on energy security, very important. And last, I would like to harness my experience as an entrepreneur. I view entrepreneurship not only as an export but as an American value as it relates to individual empowerment, to regional security, and to global growth.

Thank you.

Senator MARKEY. Mr. Hackett.

Mr. HACKETT. Mr. Chairman, as you and Senator Kaine have recognized, this is a very unique and poignant time in regard to the relations between our country and the Holy See with the new Pope. The relations are strong and good and longstanding. The Holy See has no battalions, has no nuclear arsenals, but it has credibility and influence around the world, as you well know. I believe that this is a time where we can enhance and expand our contacts with

the Holy See in important areas, areas such as the care of refugees, conflict resolution, trafficking of persons, wider religious freedom issues, and of course, dealing with the insidious problems of poverty that still infect so many communities around the world. It is an opportunity for us to take our message to them and expand on what is already happening.

Senator MARKEY. Mr. Phillips.

Mr. PHILLIPS. Well, what I would like to do, if confirmed as Ambassador, is first to work with the mission there. It is a large mission. There are 500 people in Italy alone and it is so important to establish the relationships with everybody, everybody working on the same page, everybody understanding what the goals ahead are and moving ahead. Morale is very important and you have to have a strong team to achieve all of your objectives.

I think the security issues that we talked about are going to be a fundamental focus to sustain that relationship, to improve it. Italy is such a strategically located country with respect to northern Africa and southern Europe, and we have to maintain and continue to develop that relationship.

But third, Italy is such an amazing place. That peninsula—you think about 2,000 years what has gone on in Italy. They have probably delivered more to civilization to benefit civilization in the world than any place in the world. When you go to the Pantheon in Rome and you see 2,000 years old. Look at that amazing engineering and brilliance and genius that produced this. And you look at everything else that has gone on in Italy from the Renaissance to art, this is an amazing place. These people who live there now on the Italian peninsula inherit this. They have a great opportunity ahead.

What I would like to see as Ambassador is to help get their economy going with our joint efforts on our trade agreements, create jobs, create demand so Italy feels very secure going into the future. And I think they have a great future ahead.

Senator MARKEY. Well, thank you.

Senator KAINE, anything?

Senator KAINE. Congratulations.

Senator MARKEY. Ms. Wesner, I think you did a fantastic job. Thank you for being here, and we know you are going to represent our country very well.

Ms. WESNER. Thank you, Senator.

Senator MARKEY. I think we are sending a dream team here, Mr. Hackett and Mr. Phillips, to Rome and to Italy, and you can just see it in this hearing. And we thank you both for your willingness to serve our country. We thank you. I think we are sending America's finest to Italy with the pair of you. Thank you.

So we thank everybody for your attention to this hearing.

And for the other members, questions for the record must be filed by the close of business today if any committee member or staff wishes to pose questions to the witnesses. And we request that each of the members respond promptly to that request.

So with that, we wish you all Godspeed in your mission, and this hearing is adjourned.

[Whereupon, at 6:50 p.m., the hearing was adjourned.]

ADDITIONAL QUESTIONS AND ANSWERS SUBMITTED FOR THE RECORD

RESPONSES OF MATTHEW BARZUN TO QUESTIONS SUBMITTED
BY SENATOR ROBERT MENENDEZ

Question. It was been 15 years since the Good Friday Accords were signed, a triumph many thought impossible. While there has been peace, many would argue that it has been a cold peace and that the political peace that was expected to grow over time from the Accords has not, in fact, taken root. Deep rooted divides continue to exist between the Catholic and Protestant communities. These divides are exacerbated by events like the annual Protestant street parades through traditionally Catholic neighborhoods in Belfast. A decision this year by the Parades Commission to alter the route away from these neighborhoods set off 5 days of protests by Protestant loyalists. In the wake of the riots, members of the legislature have agreed to form an all-party group aimed at addressing hot-button issues such as parades. The all-party process will be chaired by Richard Haass, a former U.S. special envoy to Northern Ireland.

- What role can the United States play in helping to resolve these tensions and to support the peace? Do you anticipate working closely with Envoy Haass on these issues?

Answer. The United States has remained strongly engaged both politically and economically with Northern Ireland for decades. The administration continues to support the vision that was set out in the Good Friday and subsequent agreements. The Department maintains our support through the U.S. Consulate General in Belfast, through contributions to the International Fund for Ireland, and through strong and vibrant academic and cultural exchanges with the people of Ireland and Northern Ireland. Over the past year, the administration has increased cooperation in science and technology with Ireland and Northern Ireland through the U.S.-Ireland R&D Partnership, which is working to accelerate economic development and research by encouraging collaboration between United States, Irish, and Northern Irish scientists and industries to bring innovations to market. The United States will continue to fully support Northern Ireland as it works to build a brighter future for its people.

In his capacity as the independent chair of the All-Party Talks, Dr. Richard Haass will be assisting Northern Ireland leaders address historically divisive issues such as parades and protests, flags, symbols, emblems, and issues related to the past to encourage community reconciliation. While he is not a U.S. envoy, the Embassy in London and the Consulate General in Belfast are prepared to offer Dr. Haass and the All-Party Group every support in this endeavor. On July 15, Vice President Biden spoke with Dr. Haass, as well as First Minister Robinson and Deputy First Minister McGuinness, to welcome the launch of an All-Party Group process and to express the full support of the United States. As President Obama said in Belfast in June, it is essential Northern Ireland leaders tackle sensitive issues to create a lasting and prosperous peace in Northern Ireland. The administration stands ready to assist the political parties in this crucial work. If confirmed as Ambassador to the United Kingdom, I will ensure the Embassy in London and our consulate in Belfast remain fully engaged in advancing reconciliation and the peace process.

Question. The United States has relied on British military support, in the Gulf war, the NATO air war over Serbia, the war in Iraq, Libya, and the ISAF mission in Afghanistan—it is a visible manifestation of “the special relationship” in the post-cold-war world. This spring, there were reports that the Cameron government’s budget cutting might reduce the defense budget below 2 percent of Gross Domestic Product. Ongoing cuts have already led to the Ministry of Defense losing 30,000 personnel and the elimination of major weapons systems.

- Mr. Barzun, are you concerned about the United Kingdom’s ability over the medium or long term to participate in military actions to address challenges overseas, and what’s the significance for “the special relationship” with the United States?

Answer. If confirmed, it is certainly an issue on which I intend to engage. The United States-United Kingdom special relationship is grounded in our shared history, values, and traditions. It remains as vibrant and as relevant today as it has ever been. We count on each other, and the world counts on our alliance. The administration is in constant communication at all levels of government and work together on a wide range of political, economic, and security issues. And we respond in like fashion to the shared challenges we face around the globe: on Iran, Syria, Middle East Peace, Mali, and instability elsewhere in Africa, terrorist threats, and

humanitarian crises. The United Kingdom is our closest, and one of the most capable, NATO allies. It is also one of the few countries in NATO that continues to meet the 2 percent of GDP defense spending target. I am gratified by Chancellor George Osborne's recent announcement that the United Kingdom would continue to meet this important target through 2016, thus demonstrating the kind of leadership we count on the United Kingdom to show at NATO. The United Kingdom plays a vital role in NATO's most important mission, ISAF, and within NATO HQ is focused on improving the efficiency of NATO structures so they are as efficient as possible.

The United States-United Kingdom defense relationship is as strong as ever. The administration honors the commitment and sacrifice of the U.K.'s soldiers and civilians who serve alongside our forces in Afghanistan and around the world. We are committed to working with the U.K. Armed Forces to help ensure they remain a full-spectrum defense and security partner, maintain interoperability with U.S. forces, and continue to lead in the full range of NATO missions.

RESPONSES OF STEVE LINICK TO QUESTIONS SUBMITTED
BY SENATOR ROBERT MENENDEZ

Question. Both the OIG and the Bureau of Diplomatic Security conduct investigations into allegations of passport and visa fraud and investigate alleged misconduct by State Department employees. Over the years, this practice has led to concerns about duplication of effort, conflicting investigations, and competition for jurisdiction.

- How will you ensure that these two organizations work in a complementary fashion?

Answer. If confirmed, I will meet on a regular basis with senior management officials from the Bureau of Diplomatic Security and other affected offices to ensure that investigations are complementary, adequately supported, and appropriately leveraged. To that end, I will work to ensure that OIG investigative resources are used wisely and efficiently, which will include an assessment of how to avoid duplication of effort, conflicting investigations, and competition for jurisdiction.

Question. In January 2013, the OIG released a report highly critical of the Broadcasting Board of Governors (BBG)—an institution whose FY13 budget exceeded \$750 million. The report cited a dysfunctional structure, limited Board oversight of the institution, and inadequate self-governance policies, among other issues.

- What steps will you take to follow up on this report?

Answer. I have read the January 2013 OIG inspection report and its recommendations. I recognize that oversight of the Broadcasting Board of Governors (BBG) is an important part of OIG's mission. If confirmed, I will work to ensure that OIG provides ongoing independent and effective oversight of the BBG. Such OIG oversight will include vigorous followup efforts to prompt BBG compliance with the recommendations in the 2013 report.

RESPONSES OF STEVE LINICK TO QUESTIONS SUBMITTED BY SENATOR BOB CORKER
IMPROVING OIG'S INDEPENDENCE AND CREDIBILITY

Question. Are you aware of the challenges identified by GAO about lack of adherence to proper auditing standards and a lack of independence within the State OIG and are you willing to make policy and, if necessary, staffing changes to restore the credibility and independence of the Office? What do you think can be done to address these issues?

Answer. I am aware of the challenges identified by GAO and have read the GAO reports regarding the issues. As I noted in my written testimony, if confirmed, I pledge to ensure that the Department of State OIG is an independent and objective organization that provides timely, robust, oversight, transparency, and accountability to the programs and operations of the Department of State. After I have had time to study the key issues identified by GAO, I will be prepared to make any needed changes to achieve my goals. I also will devote considerable time to meeting with stakeholders interested in and affected by the work of the OIG, including Department of State management, Congress, GAO, and other interested groups, as appropriate.

Question. Do you agree that a constantly rotating staff of Foreign Service officers and other State Department employees at OIG prevents the OIG from having insti-

tutional, investigative know-how? If confirmed, what will you do to address these issues?

Answer. I believe that it is important for the Department of State OIG to employ dedicated individuals who have experience, skill, and expertise in the core mission areas of the OIG, including investigations, inspections and/or audits. I agree that a constantly rotating staff can adversely affect institutional, investigative know-how. At this stage, however, it would be premature for me to reach any conclusions or make recommendations without first-hand knowledge of the surrounding facts and circumstances.

CONTRACTOR OVERSIGHT AND ACCOUNTABILITY

Question. Should you be confirmed as the next inspector general, how would you use the Office of the Inspector General to assist the Department to make better use of this important contracting oversight and accountability tools such as suspension and debarment?

Answer. The Department of State uses substantial taxpayer dollars to fund its various programs and operations. Protecting taxpayer funds from potential misuse is a core OIG function. Suspension or debarment remedies should be pursued when contractors and other awardees violate the public trust through poor performance, noncompliance, misconduct, or other actions. If confirmed, I will review carefully the Department's suspension and debarment program and make any necessary recommendations for improvement. In addition, I will take steps to enhance OIG referrals for suspension and debarment.

Question. Based on your experience with procurement related investigations and oversight, what are the acquisition-related challenges the Department faces that you feel best equipped to address, and how do you plan to tackle each one?

Answer. Based on my experience as the former Director of the Department of Justice (DOJ) National Procurement Fraud Task Force, I am well equipped to address the challenges associated with procurement issues, particularly in high risk areas. Under my guidance, the task force investigated and prosecuted individuals and companies for corruption and fraud related to contracts and grants, with a special emphasis on overseas programs focused on the conflicts in Iraq and Afghanistan.

The Department of State OIG has identified contract and procurement management, including grants and cooperative agreements, and the military to civilian-led transitions in Iraq and Afghanistan as two of the Department's 10 most serious management challenges. If confirmed, I expect to focus audit, investigative, and inspection efforts on these acquisition related challenges. In addition, I will look at systemic problems related to acquisition practices and make necessary recommendations to address these problems.

RESPONSES OF DANIEL SEPULVEDA TO QUESTIONS SUBMITTED BY SENATOR MARCO RUBIO

Question. Last year there were several proposals put forward at the World Conference on International Telecommunications (WCIT) that could have fundamentally harmed the free flow of information and negatively impact the Internet. Moving forward, I am especially concerned about the International Telecommunications Union (ITU) adopting detailed, binding, technical solutions that could have unintended consequences that lead to censorship or stifle innovation. On the other hand, many countries do struggle with the problem of bringing broadband access to their citizens and look to the ITU for solutions to that problem.

- What do you see as your and the State Department's roles in preparing for the 2014 Plenipotentiary Conference and engaging stakeholders inside and outside government?

Answer. The International Telecommunication Union (ITU) will convene a Plenipotentiary Conference (PP-14) from October 20 to November 7, 2014, in Busan, Korea. This conference, which takes place every 4 years, is the highest policymaking body of the ITU and will adopt the strategic plan for the ITU; consider proposed amendments to the ITU Constitution and Convention; and adopt resolutions and other nontreaty decisions.

Consistent with prior PP meetings, the Department of State will lead the U.S. delegation to PP-14 and our delegation will include representatives from the private sector and other federal government agencies. In leading the delegation, the State Department will engage stakeholders inside and outside government to develop

American proposals and positions for the PP. The State Department will also work to promote international support for our positions.

U.S. proposals and positions will reflect the following objectives:

- Ensure that the ITU continues to perform vital functions in the area of radio communication and other telecommunication areas efficiently and effectively.
- Maintain the ITU's existing mandates while allowing the institution to remain relevant and evolve relative the needs of member states.
- Promote a proactive strategy of institutional reform in order to improve member state oversight of the organization, strengthen the accountability of ITU officials, enhance overall efficiency, and increase transparency of ITU activities.
- Secure sufficient budgetary support within the current zero nominal growth limits of the overall ITU budget for the efficient operations of the ITU Radiocommunication (R), Standardization (T) and Development (D) Sectors.
- Ensure that the ITU promotes predictable, transparent, procompetitive regulatory policies for radio communication and other telecommunication areas that will lead to increasing investment in the world's wireless and wired broadband telecommunications infrastructure.
- Preserve the role of sector members in the ITU and expand the participation of civil society, the technical community, and academia in Internet-related discussions.

Question. Does the State Department plan to facilitate bringing American technical expertise to countries that do not have deep knowledge in deploying broadband and ensuring that the ITU does not adopt heavy-handed regulation or expand its reach?

Answer. Yes. The State Department is committed to working with other countries to foster accelerated growth of broadband and the Internet sector in such countries, especially by promoting private investment and helping facilitate sharing of U.S. expertise. Our experience at WCIT-12 in Dubai has further crystallized the need to focus on greater Internet access and broadband infrastructure development, especially in developing countries. For example, with funding from USAID, we are developing a "Technology Leadership Program," through which we will provide direct technical assistance and expertise to countries that do not have deep knowledge in deploying broadband. So far, in FY13, we have funded eight projects, which included bringing a high-level Burmese delegation to Washington for intensive training in telecommunications regulations, sending expert groups to Iraq and Mexico to assist in systems modernization, and sending U.S. Government experts to conduct workshops at regional meetings. We also coordinate closely with USAID's programs in this area, including its Global Broadband and Innovation Program, and we support public-private partnerships, such as the U.S. Telecommunications Training Institute, which are active in providing technical assistance.

Question. Did the International Telecommunication Union (ITU) overstep its jurisdiction at the 2012 WCIT by adopting the revised International Telecommunications Regulations that included Internet provisions?

Answer. The United States approached the World Conference on International Telecommunications (WCIT) as an opportunity to promote continued development of international telecommunications services by updating the International Telecommunications Regulations (ITRs) in a way that would avoid unnecessary regulation and support liberalized markets. The United States stated clearly in the runup to the event that we opposed any effort to expand the scope of the treaty to address issues related to the Internet.

The United States remains unsatisfied with the ITRs as finally adopted because they include provisions and a resolution that address issues which relate to the Internet and therefore lie outside the scope of the ITU's existing remit to address international telecommunications. And although the WCIT did not result in a consensus, we can draw valuable lessons from it about the way ahead for both telecommunications and Internet policy. It is around these outcomes that we seek to strengthen our coalition of likeminded states as well as build much broader global consensus around the importance of telecommunications services and support for the highly successful, existing framework for Internet governance.

Question. Do you believe that there should be more transparency at upcoming ITU meetings? If confirmed, will you ensure that ITU meetings are not closed to scrutiny and input from civil society and the general public, and how?

Answer. The Department of State believes that there should be more transparency at upcoming ITU meetings. If confirmed, I will work with other Department officials to build on existing international support to broaden the role of both the

civil society and the public in the proceedings of the ITU. We will stress to senior ITU officials and other senior government officials the need for the ITU to engage in open consultations with stakeholders, so that they can bring in their unique and invaluable insight to issues central to the activities of the ITU. We will also stress the importance of conducting meetings and deliberations in an open, transparent and inclusive manner, making documents freely accessible, broadcasting proceedings, and taking steps to enable greater remote participation. We will continue to welcome members of civil society as members of the United States delegation to ITU meetings.

Because of the State Department's efforts, the proceedings at the ITU's recent World Telecommunications/ICT Policy Forum for the first time gave industry and civil society the opportunity to voice opinions and concerns during the Forum's deliberations. This, along, with additional participation from new voices into the Forum's opinions greatly benefited the outcome of the event. We are hopeful that this trend will continue for future ITU meetings.

NOMINATION OF NISHA DESAI BISWAL

THURSDAY, SEPTEMBER 12, 2013

Hon. Nisha Desai Biswal, of the District of Columbia, to be Assistant Secretary of State for South Asian Affairs

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

The committee met, pursuant to notice, at 10:03 a.m., in room SD-419, Dirksen Senate Office Building, Hon. Tim Kaine presiding.

Present: Senators Kaine, Risch, Rubio, and McCain.

OPENING STATEMENT OF HON. TIM KAINE, U.S. SENATOR FROM VIRGINIA

Senator KAINE. I am calling this meeting to order. This is a Senate Foreign Relations Committee confirmation hearing of Ms. Nisha Biswal. So glad to have you all here. I welcome you all to this hearing.

A word of introduction. We will have a more closeup and personal one in a second from Congresswoman Lowey. We are so glad to have her with us. Ms. Biswal is a distinguished public servant and this is a very important position within the State Department family. I have had a good visit with the nominee and feel very excited about the prospect of her serving in this important position.

I tried to take out all bias for her because she graduated from the University of Virginia, but I am finding that hard to do. Of course, she would be one of a number of UVA graduates that have devoted themselves and their careers to public service, and this way UVA has a great track record of putting people into the Peace Corps, the State Department, other NGOs that do work in the international area. Ms. Biswal is a distinguished addition to that great group.

After the University of Virginia, she started her public service career with the Red Cross, inspired by the horrible tragedy in Rwanda and wanting to make a difference and thereby starting her work in the international field. She had a long and successful run working in both international affairs and appropriations for the House of Representatives, left those positions to work with InterAction, the largest alliance of U.S.-based international humanitarian and development NGOs.

She currently serves in a very important role since 2010 as USAID's Assistant Administrator for Asia. Much of the real estate that you would represent in this important post in the State Department she has worked on in her capacity with USAID.

We are very happy to have Ms. Biswal and her family before us. I want to welcome family members especially. This is an exciting day for you and I know you are very, very proud, as you should be.

Senator Risch, the ranking member of the Subcommittee on Near East and South and Central Asian Affairs, will be joining us, but will be a bit late, and he has indicated that it is good to proceed because we are joined by Congresswoman Nita Lowey, who has good personal experience working with Ms. Biswal during her on the House side, and they are close, and we are very, very happy to welcome Congresswoman Lowey, who I think may have votes coming up. So I wanted to get right to it. So, Congresswoman Lowey, it is great to have you here and we would love to have your introductory comments.

**STATEMENT OF HON. NITA M. LOWEY, MEMBER,
U.S. HOUSE OF REPRESENTATIVES**

Representative LOWEY. Thank you, Mr. Chairman. It is such an honor for us to appear—I will thank you again, Mr. Chairman. It is such an honor for me to appear before you today and to assume this very important, pleasurable task.

It gives me such pleasure to introduce today's witness and President Obama's nominee to be the Assistant Secretary of State for South and Central Asia Affairs, Nisha Desai Biswal. Nisha was the Clerk of the Appropriations Subcommittee on State and Foreign Operations, of which I was chair, from 2005 until 2010, when she joined the administration as an Assistant Administrator for Asia at USAID.

Over those 5 years, Nisha consistently demonstrated tremendous foreign policy acumen. She proved herself to be a leader, manager, who had the respect and admiration of both the staff and members on both sides of the aisle. While with the subcommittee, Nisha spearheaded a number of important initiatives that changed the way America engages with important allies and partners throughout the world, as well as how we address the more challenging and dangerous regions in which we work.

It would be impossible for me to encapsulate all the incredible work she did in the short time I have here this morning. So I will limit myself to just a few examples. Nisha led the subcommittee through the reorganization of the appropriations bills which united State Department funding with our foreign operations work. Through this complex process, Nisha immersed herself in the gritty details of how we fund our work overseas and was a driving force behind making our programs more accountable and effective.

She helped draft benchmarks for continued funding in Iraq as we work to draw down our troop presence there and conditioning of our aid to Afghanistan under her watch. She worked to shift how we engage with Colombia, focusing on critical development initiatives to promote stability and the rule of law.

We also worked closely with partners in Jordan and Israel to create the Palestinian Security Training Program that has equipped the Palestinian Authority with its own security forces to provide stability for itself and for Israel.

Most importantly, Nisha proved to be a fearless, persistent negotiator in dealing with our arch-nemesis, the United States Senate.

In all seriousness, I know that the time she spent with the subcommittee has prepared her well for the responsibility she will assume at the State Department if confirmed by the Senate. While at USAID, Nisha was responsible for repositioning our assistance programs in Asia to more closely align with our foreign policy goals for the region. Nisha worked with her colleagues at USAID, the State Department, and the whole of the U.S. Government to ensure our assistance to Central Asia is focused on strengthening regional trade between those countries and Afghanistan.

She transitioned the aid program in India into a true partnership between American and Indian private sector institutions and universities to find cost-effective solutions that will benefit India and the world. In east Asia, Nisha accompanied the President on his historic visit to Burma and joined him in opening our aid mission there to support Burma in its transition to democracy. Her work on the Lower Mekong Initiative and new programs in the Pacific Islands has supported the administration's increasing focus on Asia.

That is a lot to accomplish in 3 years and I have no doubt that, with her energy and determination, she will be equally successful at the State Department. I have greatly enjoyed knowing Nisha over the years and watching her grow, both professionally and personally. I had the pleasure of attending her wedding and seeing her embrace motherhood with her two beautiful daughters, who were born while she was working on the committee.

Nisha is a talented, dedicated, brilliant public servant who will capably serve the administration and the country. She has the substantive knowledge and personal skills to be incredibly successful in this challenging position.

I also want to acknowledge her husband, her two daughters, her brother, her in-laws, because it is a big job and without the support of her family I know it would be very, very difficult, as talented as Nisha is, to accomplish all she has done and all she will do.

So I am very proud to call her a friend and honored to be here today. Thank you, Mr. Chairman, for allowing me to be part of this important occasion. I yield back.

Senator KAINE. Thank you, Congresswoman Lowey. Even more important I think than a candidate's resume or credentials is the quality of people who stand up and vouch for them and validate the work that they have done. Having you in her corner is a wonderful attribute that Ms. Biswal brings to the table and we appreciate you being here with us on the committee today. Do not miss any votes on our account. You have done good work.

With that, I will turn to our nominee. With Senator Risch, I may offer Senator Risch the opportunity to make some opening comments when he comes, but now would be a great time, Ms. Biswal, for your opening comments, and then we will follow that up with a vigorous Q and A.

Thanks again, Congresswoman Lowey.

STATEMENT OF HON. NISHA DESAI BISWAL, OF THE DISTRICT OF COLUMBIA, NOMINATED TO BE ASSISTANT SECRETARY OF STATE FOR SOUTH ASIAN AFFAIRS

Ms. BISWAL. Thank you, Mr. Chairman. Chairman Kaine, Senator Risch, members of the committee. Thank you very much for the opportunity to appear before you today. I am honored to be the administration's nominee for the Assistant Secretary of State for South and Central Asia. I particularly want to thank Nita Lowey for her glowing introduction. I am tempted at this point to simply say let us just go straight to questions and let me dispense with any remarks that I may have. But she has truly been a friend and a mentor over the years and I am honored that she would take time out of her busy schedule to be here today.

As was noted, I am joined here today by family and friends, whom I would like to take a moment to introduce. My parents, Kanu and Lata Desai, could not be here today, but I am joined by my brother, Pinank Desai, my mother-in-law and father-in-law, Anu Biswal and Dr. Nilambar Biswal, and most importantly my husband and children. You know, the best decision that I ever made was in marrying Subrat Biswal, and he and Safya and Kaya, our two daughters, are the source of boundless joy for me and I am grateful for their support in my career and in all things that I do.

Finally, I am grateful for the friendship and support of so many former colleagues in the authorizing and appropriations committees of the House and the Senate and colleagues from the administration who are here today. I want to particularly note the presence of Amos Hochstein and Sonal Shah, two very close friends who have been just an incredible source of support.

Mr. Chairman, I will offer brief remarks and ask that my full statement be entered into the record.

Senator KAINE. Without objection.

Ms. BISWAL. As I said, I am indeed honored to be the President's nominee for the Assistant Secretary of State for South and Central Asia at a time of incredible challenge, as well as opportunity, for the countries of the region and for U.S. interests there. As you well know, the entire region is focused on the upcoming transition in Afghanistan and the implications for future security, stability, and prosperity.

While my direct responsibilities if confirmed would not include Afghanistan or Pakistan, one of the Bureau's top priorities will be to work with Ambassador Dobbins and his team to support that transition by strengthening Afghanistan's economic connectivity to its neighbors. Already we have seen strong cooperation from South and Central Asian states in support of our efforts in Afghanistan. India, which has provided over \$2 billion in economic aid, continues to play an important role, and all five Central Asian states have provided vital support for our mission and for our military through the Northern Distribution Network.

Understandably, Mr. Chairman, there is a lot of anxiety in the region and uncertainty about what this transition will bring. Yet it is important to remember that, while there are many players with divergent interests, all are interested in a stable and secure

Afghanistan that brings benefit to the entire neighborhood. I look forward, if confirmed, to promoting U.S. policies that will make regional economic integration a reality, knitting together all of the countries of the region through a web of economic, energy, transit, trade, and people-to-people linkages.

In South Asia, advancing the United States-India strategic partnership will be of paramount importance. The United States-India relationship, founded on our shared democratic values, our converging strategic and economic interests, and strong people-to-people ties, has broadened and deepened dramatically over the past decade. In the defense sector alone, we have seen defense trade increase to over \$8 billion today. And the broader United States-India trade has quintupled over the past decade, to about \$100 billion. But it can and should be significantly higher.

India's economic growth can benefit greatly if it takes steps to remove additional constraints to foreign direct investment, it enhances the intellectual property protection, eases local content requirements, and addresses other trade-inhibiting policies.

If confirmed, I will engage with our counterparts in the Indian Government to ensure that our two countries work together to meet the significant potential of what President Obama has called the defining partnership of the 21st century.

Mr. Chairman, let me briefly touch upon a few key challenges and priorities in the region, particularly with respect to strengthening democratic governance and advancing human rights. As Sri Lanka works to rebuild its society after a devastating civil war, I will, if confirmed, continue to stress the importance of reconciliation and accountability and for the government to meet its commitments to all of its population.

Across Central Asia, this administration has steadfastly championed core American and universal values, such as religious freedom and broader human rights and political freedoms, as part of all of our bilateral engagements, a practice which I will strongly endorse and continue if confirmed. In Bangladesh, where we have seen remarkable economic and developmental gains, the administration continues to urge greater progress on labor rights and transparency as we seek a more comprehensive partnership with that country.

Nations such as the Kyrgyz Republic, Nepal, Bhutan, Maldives have embraced democratic values and we will continue to support them on this journey.

Finally, I wanted to share with you, Mr. Chairman, three lessons that I have learned over the course of my career which, if confirmed, which I take with me into this new position. The first, which I learned working with the Red Cross with refugees in the Caucasus, is the link between human security and national security. This of course has played out across the globe as we see tragic circumstances that impact national security emanating from human insecurity.

The second, informed by my work at USAID, is that our policies and programs have to speak not just to the governments of these countries, but to the hopes and aspirations of the people.

The third lesson, which I have learned in my extensive time on the Hill, is the importance of transparency and trust in relations

and interactions between the executive and legislative branches. To that end, Mr. Chairman, if confirmed I pledge to work closely with you, Senator Risch, consult regularly with this committee and the Congress. And I thank you for your consideration of my nomination and I would be pleased to answer any questions that you and the committee might have.

[The prepared statement of Ms. Biswal follows:]

PREPARED STATEMENT OF HON. NISHA DESAI BISWAL

Chairman Kaine, Ranking Member Risch, members of the committee, I am honored to be here today as President Obama's nominee for Assistant Secretary of State for South and Central Asian Affairs. It is a privilege to appear before this committee again, and I'm grateful for the confidence President Obama and Secretary Kerry have placed in me. I also want to thank Representative Nita Lowey for taking time away from her important responsibilities to introduce me. Representative Lowey has been much more than a boss over the years. She is a friend and mentor. Working for her and with the dedicated staff of the House and Senate appropriations committees has been one of the highlights of my career. I also want to thank the members and staff of the House Foreign Affairs Committee, where I cut my teeth and had the opportunity to work with some extraordinary individuals, many of whom have crossed over to this side of the Capitol. I'm grateful for their continued friendship and support.

I am joined today by many family and friends to whom I owe my success. First, my parents, Kanu and Lata Desai, who could not be here today but who changed my life when they immigrated to America, leaving behind all that they knew in pursuit of opportunity. I am joined by my brother, Pinank Desai, and my father and mother-in-law, Dr. Nilambar Biswal and Anu Biswal. And finally, as Sheryl Sandberg wrote in her book, "Lean In," the most important career decision a woman makes is in choosing her life partner. I showed profound good judgment when I married Subrat Biswal. He and our two girls, Safya and Kaya, are the light of my life.

Mr. Chairman, I am indeed honored to be the President's nominee for Assistant Secretary of State for South and Central Asia at a time of incredible challenge as well as opportunity for the countries of the region and for U.S. interests there. A career spent in the executive and legislative branches, as well as working in the development and humanitarian community, has prepared me well for this important responsibility. There are three lessons that I have learned in my career which I carry with me into this new position. The first, which I learned as a delegate for the Red Cross working with refugees and vulnerable populations in the Caucasus after the fall of the Soviet Union, is the link between human security and national security. The second, which builds on the first, and which underpinned my work at USAID over the past 3 years, is that, for our diplomatic and development efforts to be successful and sustainable, our policies and programs have to speak to the hopes and aspirations of the people and not just the governments of the region. The third, which became very clear during my time on the House Foreign Affairs Committee and House Appropriations Committee, is the importance of transparency and trust in the interactions between the executive and legislative branches of government.

As you know well, the region is focused on the upcoming transition in Afghanistan and the implications for future security, stability, and prosperity. While my direct responsibilities, if confirmed, would not include Afghanistan or Pakistan, one of the South and Central Asia bureau's top priorities will be to help connect Afghanistan to an increasingly stable and prosperous region. If confirmed, I look forward to working with Ambassador Dobbins, the Special Representative for Afghanistan and Pakistan, to build on the progress we have made so far to foster stability and economic opportunities in South and Central Asia.

Already, we have seen strong and steady cooperation from South and Central Asian states in support of our efforts in Afghanistan. India continues to play an important role in supporting the economic development of Afghanistan with its provision of over \$2 billion in aid to Afghanistan. Kazakhstan, with its support for the Afghan Security Forces and training of Afghans in Kazakh universities as well as hosting the Istanbul process ministerial and the P5+1 talks, has demonstrated its importance as a leader in the region. In fact, Mr. Chairman, all five Central Asian states have provided vital support for our mission in Afghanistan, including through the Northern Distribution Network. That support will be all the more important in the months and years ahead.

Understandably, there is a lot of anxiety in the region. Afghanistan's neighbors are uncertain what the transition in 2014 will bring and whether we will leave behind a political and security vacuum that will destabilize the region. Many still doubt our long-term commitment and fear we will turn our attention elsewhere. And in a region that is the least economically integrated in the world, Central and South Asian states wonder how the economic transition will affect their interests and economies. I look forward, if confirmed, to promoting U.S. policies that will make regional integration a reality, knitting together all the countries through a web of economic, energy, transit, trade, and people-to-people linkages.

Mr. Chairman, while there are many players with divergent interests in this region, one unifying sentiment is that a stable and secure Afghanistan will benefit the entire neighborhood as we understand that it affects our own national security. That is why this administration has invested significant effort and resources to find a political solution to the conflict in Afghanistan and increase economic connectivity and cooperation. The administration's vision is for Afghanistan to be at the heart of a region with more trade and investment, more infrastructure and energy links, and more economic opportunities for its people. We are clear-eyed about the challenges of promoting greater regional cooperation, but we also see the potential and opportunities. It's telling that since former Secretary Clinton first articulated the "New Silk Road" vision in 2011, the region has adopted its own vision of greater connectivity and integration. The administration welcomes partnership with other key players in the greater region, like China, to achieve this important goal that, in the end, will bolster peace, stability, and prosperity for all the peoples of South and Central Asia.

Important regional infrastructure linkages are already developing. Uzbekistan has built a rail line from its border to Afghanistan's key northern city of Mazar-i-Sharif and now Turkmenistan and Tajikistan have agreed to build a rail line linking their two countries via Afghanistan. Turkmenistan, Afghanistan, Pakistan, and India are making progress on the proposed TAPI gas pipeline. Pakistan recently announced its intention to sign the intergovernmental agreement on CASA-1000, which would substantially link the electrical grids of Afghanistan and Pakistan with those of Kyrgyzstan and Tajikistan for the very first time. And we hope that Pakistan and India will continue taking steps toward trade normalization. Perhaps most importantly, and for the first time, all of the countries in the region are either WTO members or on a path or exploring steps toward accession. We still have many challenges ahead but, if confirmed, expanding greater regional connectivity and linking economies and markets will be one of my top priorities.

Shifting to our bilateral relations, if I am confirmed by the Senate, advancing the U.S.-India Strategic Partnership will naturally be of paramount importance. India's growing economic power make it a vital anchor for the vision of regional economic engagement, as well as a cornerstone of our strategic rebalance to Asia. The U.S.-India relationship, founded on our shared democratic values, converging strategic interests, and strong people-to-people ties, has broadened and deepened dramatically in the last decade. Nowhere has this cooperation been stronger than in the defense sector, where we have seen defense trade increase from a cumulative \$300 million through 2008 to over \$8 billion today, and we are now engaging in robust joint training and exercises. As an example of the synergies inherent in our partnership, U.S.-made C-17s and C-130s now flying in Indian Air Force colors add a powerful new capability to India's regional security role, as well as added capacity to provide humanitarian and disaster relief, complementing U.S. efforts in these areas. India and the U.S. are already strong partners in combating terrorism and the proliferation of weapons of mass destruction, and, if confirmed, I will endeavor to strengthen and expand these efforts.

While there is much to laud in the U.S.-India partnership, which President Obama has called a defining partnership of the 21st century, the potential for greater cooperation and opportunity remains vast. While U.S.-India trade has quintupled over the past 10 years to almost \$100 billion, it can and should be significantly higher. The political transition in Burma has opened the potential for long-anticipated greater economic connectivity between South and Southeast Asia. The vision of an Indo-Pacific Economic Corridor and its potential for driving global economic growth will require free, efficient, integrated, and open markets. India's economic growth can benefit greatly from removing constraints to foreign direct investment, enhancing protection of intellectual property; signaling clear tax policies for international investors; facilitating market access, easing requirements for local content, and facilitating trade links to the broader region. These are tough challenges, but, as Vice President Biden and Secretary Kerry have underscored during their visits, our two countries can and should work collaboratively to meet the significant economic potential of this vital relationship. I believe that the Indian people and their

government will take the necessary steps to stimulate further economic growth for the benefit not only of the Indian people, but for many millions across the broader region who rely on India as a source of stability, prosperity, and democratic values.

By connecting the countries of South and Central Asia, we will not only unleash the flow of energy and commerce, but also the flow of ideas and innovations, of science and technology. If confirmed, I will build upon the rich science and technology collaboration with India and the nascent Science and Technology dialogue we have launched with Kazakhstan, an important regional partner, to expand collaboration between our private sector and academic institutions with organizations across the region to address common challenges of food security, water management, climate change, and infectious diseases.

Mr. Chairman, I would be remiss if I did not also touch upon key challenges in the region with respect to democratic governance, human rights, and corruption. As Sri Lanka works to rebuild its society after a devastating civil war, we continue to stress the importance of sustainable post-conflict reconciliation, ensuring accountability for wartime atrocities, and fulfilling the government's own commitments to its people. In Uzbekistan, where we are seeing some steps toward addressing the problem of forced labor, we will remain closely engaged to press for steady progress toward ending this practice and continue to press on human rights concerns. Across Central Asia, where freedom of religion remains heavily circumscribed, we are steadfastly championing this core American and universal value. The administration strongly supports Bangladesh as it continues to make remarkable economic and developmental progress, but we express our concerns as it grapples with challenges such as labor rights and political gridlock. As countries such as the Kyrgyz Republic, Nepal, Bhutan, and Maldives embrace democratic values, the United States is committed to supporting and strengthening their democratic institutions and helping these societies combat corruption and advance the rule of law. If confirmed by the Senate, I will continue to use our broad engagement with countries throughout the region to underscore that, while we will continue to work with them to safeguard against the threats of terrorism and extremism, we believe that progress toward democracy and human rights, so that people have peaceful avenues for expressing dissent, is essential to achieving that goal.

Finally, there is no higher priority for the Department than the security of American citizens, our personnel, and our facilities overseas. In the past year, the Bureau of Diplomatic Security and the regional bureaus have already done a great deal of work to ensure closer information-sharing and coordination on security, and to make sure that our decisions about our presence abroad are informed by a thorough and ongoing review of the value of the work we conduct overseas, the threats we face, and the costs of mitigating those threats. If confirmed, I will continue to make this a top priority, working together with our colleagues in Diplomatic Security and at our overseas posts.

Mr. Chairman, let me close by again thanking you for the honor and the opportunity to testify before the committee. I am humbled by the trust and confidence that President Obama and Secretary Kerry have placed in me by this nomination. I consider this appointment to be the highest honor and a sacred responsibility to undertake on behalf of the President and the Nation. If confirmed, I will collaborate closely and consult regularly with this Committee and Congress in fulfilling my responsibilities.

Thank you. At this time I would be pleased to answer any questions you and the committee might have.

Senator KAINE. Thank you, Ms. Biswal, for that statement.

Again, thank you, Congresswoman Lowey, and our best.

I think I will begin with questions. We will ask questions in 7-minute rounds. Senator Risch has decided, to the extent that he would like to do opening, he can do that as part of his Q and A. We may do more than one round, and we may be joined by other Senators, but we will just now begin with the dialogue.

You actually stole my first one. I was going to ask you about lessons learned in your previous capacities and how you would apply them to this position.

The United States-India relationship, let us begin there, a very important one. We talked in my office, and I would like you to maybe elaborate a bit more, on what you see as a potential sort of trajectory in that relationship. As new generations of leaders in

both countries come about, talk about some of the reasons for optimism about the United States-India relationship. Then I have a followup question about the civilian nuclear deal and the prospects for that between our countries.

Ms. BISWAL. Thank you, Mr. Chairman. As I mentioned in my statement, the United States-India partnership, as the President has indicated, is the defining partnership for the 21st century, both because the United States and India share profound values of democracy, diversity, secularism, and human rights, but also because as an emerging power and an economy of global consequence, the model that India represents for democratic development is one that the United States actively supports and promotes across the globe, and that partnership is one that will benefit deeply not only the people of the United States and India, but really the globe.

I do think that there is tremendous potential and scope to broaden and deepen that relationship in all sectors, whether it is in science and technology, whether it is in defense and security cooperation, and certainly in terms of how our two economies are increasingly intertwined and interlinked.

Senator KAINE. Could you talk a bit about the prospects for progress on the civilian nuclear deal between the United States and India?

Ms. BISWAL. Sure, thank you. I think that the 123 Agreement was a transformational agreement between the relationship between the United States and India. But since that deal was enacted I think that there has been very slow and halting progress because of the nuclear liability law in India and the hindrances that that has posed to advancing civil nuke cooperation.

I am hopeful, though, that we are making progress and that there seems to be some progress between Westinghouse and the Indian Government and NPCIL on approving a small contract. We are hopeful that that is something that can be announced in the near future and that that will pave the way for additional work in the months ahead. It is going to be a long and tough road to work through the issues with the nuclear liability law, but I think it is fundamentally in India's interests as well as in the interest of the United States to work through those issues so that we can progress with civil nuclear cooperation.

Senator KAINE. You mentioned in your opening statement that the Afghanistan-Pakistan issues are very important to your work and yet they are under the purview of a different leader in the State Department, Jim Dobbins, the Special Representative to Afghanistan and Pakistan. If you could, share a little bit about what you hope to do working in tandem with Jim Dobbins, especially on the India-Pakistan relationship?

Ms. BISWAL. Sure. Thank you, Mr. Chairman. I think that that is an important question that is on many people's minds. I have profound respect for Jim Dobbins. I think he is an incredible professional with an incredible track record of service to the Nation on tough issues, and I think he is exactly the right person in the right job at this time.

If confirmed, working closely with him on the priorities that we have set for an Afghanistan that is stable, secure, and economically linked and integrated into its neighborhood is one that I will work

diligently toward. One aspect of that is going to be looking at how the countries of the region interact with Afghanistan.

Already much work has been done to promote trade and people-to-people linkages. Turkmenistan is currently working toward a rail line that will connect Turkmenistan to Tajikistan, via Afghanistan. Uzbekistan has already established rail linkages into Mazar-i-Sharif. There is tremendous power that is already being provided by Uzbekistan and the lights are on in Kabul because of Uzbek power. So there are already much that is happening. Kazakhstan has been a tremendous supporter and an important player for our efforts in Afghanistan.

But as we move toward this transition, those efforts are going to need to be stepped up. That will be a very key priority. Looking at the long term, trying to bring on line the Turkmen-Afghanistan-Pakistan-India pipeline to provide gas into South Asian markets is going to be an important thing. CASA-1000, which is the provision of hydropower coming from Kyrgyzstan and Tajikistan into predominantly Pakistan, I think, is going to be important to the energy security of Pakistan. We have seen very positive steps that the Government of Pakistan has already taken to bring that about, to make that into a reality.

So those will be some of the areas where I will be putting considerable attention during my tenure if confirmed.

Senator KAINE. Great. Thank you, Ms. Biswal.

Chairman Menendez will very much want me to ask a question about Bangladesh. It is an issue, and especially labor conditions there, that he cares about deeply. We had a full committee hearing on these issues on June the 6th. If you could just talk a little bit about status of reforms—the President suspended trade benefits under the Generalized System of Preferences earlier this year as a result of concerns about some of these labor issues. If you could talk about status of reforms in Bangladesh, that would be helpful.

Ms. BISWAL. Sure. Senator, Mr. Chairman, let me start first by thanking you, thanking Senator, Chairman Menendez, because it was very important both in our engagement with Bangladesh and for the Bangladeshi people to see the very strong concern and reaction that was elicited from the United States and from the United States Congress after that horrific tragedy in Rana Plaza. Indeed, the suspension of GSP and the incredible outpouring of concern from the United States and really the world has forced the Bangladeshis to take action, and it has focused attention.

We have seen some progress to date. We have seen greater ability for unions to form and organize, and we have supported those efforts. We have redoubled our own support for organizations like the Solidarity Center and the International Labor Organization to work with those nascent unions. We have seen the private sector, the ready-made garment industry, come together both in Europe and in the United States and put forward some standards that it will adhere to in terms of building safety, in terms of worker safety.

So these are all very positive movements. There is still a long ways to go, and if confirmed I will continue to work diligently in this area with counterparts in the interagency and with counter-

parts in the private sector to ensure that we are meeting those worker safety issues.

Thank you.

Senator KAINE. Thank you, Ms. Biswal.

Senator Risch.

Senator RISCH. Thank you, Mr. Chairman.

First of all, can you give me your view? What do you hear about how the Indians are looking at our withdrawal from Afghanistan? Are they worried about it? Are they preparing for it? What's your observation there?

Ms. BISWAL. Thank you, Senator. There is understandable anxiety in India and across the region about what this transition will bring. But we are in very close dialogue with the Indians, and from my role at USAID I was able to participate in some of the trilateral conversations between the United States, Afghanistan, and India about the transition, about our prospects and priorities for the coming 18 months. India has played an important role in Afghanistan's economic development and continues to do so, and we will continue to work very closely with our Indian counterparts and with the Afghan Government on what an appropriate and stabilizing role that India can play in the region.

Senator RISCH. Are they concerned at all about the relationship that Afghanistan is going to have with Pakistan, that is from a competitive standpoint?

Ms. BISWAL. Senator, I actually think that there is somewhat of a convergence of interests here, in that neither India nor Pakistan want to see an insecure and unstable Afghanistan. I think that the opportunity that we have before us is to engage both countries on that particular interest. Ultimately, the efforts for Afghanistan's political transition and reconciliation will be Afghan-led and it will be for the Afghans to determine how they will engage with other partners in the region. We are certainly supportive of working with all of the interested parties toward that.

Senator RISCH. Thank you.

Let us turn for a minute to the nuclear liability law. You are right about the agreement that was entered into. I think it is probably a model for what is going to happen around the world on nuclear agreements for generating electricity for peaceful use of nuclear power. What are the prospects for some movement on the nuclear liability law in India?

Ms. BISWAL. It is a difficult undertaking. I think we—

Senator RISCH. Why is that?

Ms. BISWAL. Well, India is still grappling with the devastating legacy of the Bhopal tragedy, and that has defined in many ways how the Indian population has viewed nuclear power. We understand those concerns and we understand that legacy.

Nonetheless, as you look at India's energy needs into the future, civil nuclear power is an important option, and for that option to really play out this is an issue that I think India is going to need to grapple with and it is a conversation that the government is going to need to engage with its parliament and with its population.

We are hopeful that that will happen, that this will move forward, because we do think that this is an area that is fundamentally in the Indian interest and we want to support that.

Senator RISCH. Is there an understanding there about the inevitability of nuclear power when it comes to being able to provide the kind of base load that is needed for a country like India to thrive?

Ms. BISWAL. Certainly in some quarters that is the case. I would not want to speak to the whole of the country, but I think that there is a very strong desire to move forward on this. But I think it is going to be a political challenge for the Indians, and we look forward to working with them.

Senator RISCH. Transitioning from that to the purchase of oil from Iran, that is something that has been very troubling to me and I think troubling to a lot of people. Have you had conversations with the Indian Government about this?

Ms. BISWAL. Senator, I know that the administration has had many and an active and ongoing dialogue. If confirmed, I intend to continue that very close engagement. I will say that Secretary Kerry found, earlier this summer, India to have significantly reduced its import of Iranian crude when he made the determination and exercised the waiver. I think that that determination is based on multiple sources and comprehensive analysis of India's imports.

I am aware that Indian imports of Iranian crude have gone down significantly since the sanctions have been in place. Iran used to be the No. 2 supplier and it is somewhere in the neighborhood of five or six on that list currently.

Senator RISCH. I understand. I was one that was deeply disappointed when the waiver was granted. I do not understand it. We have a clear policy as far as our embargo with Iranian oil and other products. I had a spirited conversation with the Ambassador from India. I still do not understand it.

It seems to me that there are—with oil being as fungible as it is and as widely available as it is, there is absolutely no reason for India to purchase oil if indeed they want to support the world community and indeed want to support us as a friend and a partner, for them to be buying anything from Iran.

I understand it is a longstanding relationship and what have you. But the Iranians have demonstrated that it is going to take who knows what to stop them from the path that they are on. So the Indians' purchase of oil from Iran in my judgment endangers the entire world community and is a destabilizing factor for the Middle East. So I hope you will convey that message when you talk with them and tell them at least some Members of this body are deeply disappointed in what they are doing.

I understand they keep telling me, well, they have reduced it. Well, again, you do not need to reduce it; you need to just quit it. That would be my message to them.

Thank you very much. My time is up.

Thank you very much, Mr. Chairman.

Ms. BISWAL. Thank you, Senator.

Senator KAINÉ. Thank you, Senator.

Senator Rubio.

Senator RUBIO. Thank you.

First of all, thank you for being here today. Congratulations on your appointment.

Ms. BISWAL. Thank you.

Senator RUBIO. Thank you for your service and your continued service.

My question really is going to start in the form of a statement and then get your impressions on it. I would begin by just saying something I think you will agree with, and that is that our foreign policy should not just reflect our interests; it should also reflect our values. I imagine that you agree with that.

Ms. BISWAL. Indeed.

Senator RUBIO. And in fact, it is one of the things that makes America exceptional, despite Vladimir Putin's assertion to the contrary. So I wanted to walk you through one of the values that I think are critically important to Americans and that is religious liberty, because I think this region of the world that you will be tasked overseeing our foreign policy on is a part of the world where religious liberties are under incredible duress, with few exceptions.

We start, of course, with Afghanistan. There is real worry there among some of the political class about the growth of Christianity. For example, the president of their Parliament, Abdul Rauf Ibrahimi, he condemned proselytizing and he asked the Committee for National Safety to follow the issue carefully. In fact, one of the parliamentarians there has made a suggestion about a new law that would outlaw Christianity and to punish it. So there are concerns about Afghanistan.

In Pakistan, we have all heard the terrible stories that emerge from there. A 16-year-old from Lahore was abducted, gang-raped, and forcibly converted to Islam and then forced to marry a Muslim. Her family reported it to the media and to authorities, but she, as a result, was insulted and harassed. There is of course the infamous story of Asia Bibi, who drank water from the same cup as a Muslim woman. The woman then claimed that the water was unclean and that the only way to clean it was for her to convert to Islam. She refused and of course has been accused of blasphemy.

These blasphemy laws, by the way, are used in Pakistan as a way to settle scores and personal vendettas. It is not just a religious thing.

The U.S. Commission on International Religious Liberty issued a report that said that in the last 18 months in Pakistan there are 203 documented incidents of violence in the name of religion, the resulted in 1,800 casualties and more than 700 deaths. One of the cases in point is this Christian Sajjad Masih, who was accused of insulting the Prophet Mohammed. His accuser recanted. His accuser said: It is not true; the police made me say that. Nevertheless, he is convicted and he is serving a life in prison because of it.

In India that we have been talking about here, I am concerned about what appears to be a growing wave of Hindu nationalism that's sweeping the country. As a result, on August 3 there is the report of a Christian woman that was confronted with demands that she convert back to Hindu. She refused and as a result was abused and beaten.

There is this horrifying story of a Christian woman who was raped and brutally murdered by two men on August 29. She was raped in front of her 3-year-old daughter. She suffered multiple stab wounds to her torso and had been strangled with her own sari. Her body was left naked, her screaming child beside her. Two suspects were arrested. They have both been released and it is unclear whether they will face any official charges in the future.

As a result, India now ranks among the 50 countries—according to an organization called Open Doors International, India now ranks among the 50 countries where life as a Christian is most difficult. The country is actually number 31, largely because of the streak of Hindu nationalism that envisions India as a purely Hindu state. We are concerned about that.

In Sri Lanka, in the last 4 months 30 churches have been attacked by Buddhist extremists. I quite frankly was not aware that there was such a thing, but apparently that exists.

In Nepal there has actually been some progress. I know that there was an agreement there between the government and the Christian community, but apparently that agreement has not been fully carried out and we have reports that the Christian community there has been forced to bury their dead outside of cemeteries and have to bury their dead in forests because their cemetery is too close to some Hindu shrine.

In Uzbekistan—and we could go on and on. I do not want to run out of time here. But that is one of the places where—Freedom House says, Uzbekistan is among the 17 worst countries in the world when it comes to freedom. I didn't know this, but the law in Uzbekistan only allows people to own government-approved religious material. So for example, a Protestant minister there was sentenced to 1½ years of what they call “corrective labor,” which does not sound very pleasant, for illegally storing religious liberty. In Uzbekistan the government regulates how many copies of a Bible you can have and they regulate which translations of the Bible you are allowed to have.

So I guess my question is, When it comes to this part of the world, how do we ensure that our policies reflect our interests, and our interests in the area are important, but also our values? In particular, our aid programs and so forth should be conditioned upon progress on all these counts. I am concerned that this discussion is not happening.

So I wanted to get your perceptions about, No. 1, how can we be a more forceful voice on behalf of religious liberty and in particular condemning even our allies in those countries where a lot of this stuff is happening at the street level where individuals, because of their own prejudices or views, are carrying out these attacks. But what is more concerning is when the government actually backs it up, either through laws or—as in the case of the blasphemy laws, or by selective enforcement, where they decide that when individuals carry these things out they will not punish them, they will not do anything about it, they will overlook it, or in fact they harass the victims or their families when they report these things.

So I think my question is, How do we ensure that all of our programs, from how we talk about it in terms of condemning these acts to how our foreign policy with regard to these nations and our

aid programs, are conditioned upon real progress when it comes to the issue of religious liberty? I could say the same about human trafficking, by the way, and so forth. But this is one that I think is a growing problem in many parts of the world, but in particular in Central Asia and the other countries that you will be tasked with overseeing.

So I wonder if you would share with us your impressions on the situation and on how we can improve our foreign policy so that, in fact, it is the foreign policy of an exceptional nation, because it reflects both our interests and also our values?

Ms. BISWAL. Thank you, Senator, for that question. I think you have raised some very important concerns and concerns that extend across the region, as you rightly pointed out. I will say that one of the things, as you noted, that makes America great is that it stands for human dignity, human freedom, freedom of religion, and freedom of expression. Those are values that the United States does not shy away from and the administration does not shy away from in our engagements with all of the countries in the region.

I know that the administration has conducted bilateral negotiations, bilateral dialogue and consultations with all of the countries that you have referenced, and in all of those consultations religious freedom and human rights have been at the top of the discourse. If confirmed, that would certainly be my intention, to continue to stress upon in all of our conversations the very important concerns that we have with respect to religious freedom.

Senator RUBIO. Just one closing question. Do you believe, given your experience—I believe you were at USAID as well, so you have been involved in aid programs. Do you believe that it is wise for us—I am a believer in foreign aid, but I think foreign aid has to reflect both our interests and our values. Do you believe it is wise for us to ensure that any foreign aid and other programs reflect that in the sense that they be conditioned upon progress on these issues?

Foreign aid is not charity. Should not our foreign aid reflect our values as well as our interests, in that we provide aid to countries, but they have to be making measurable progress toward things that reflect both our interests and our values? Otherwise they can look somewhere else for the money.

Ms. BISWAL. Senator, I would agree that our foreign aid is a reflection of our values, and in the sense that our foreign aid is aimed at not benefiting governments, but the people of these countries, and in many ways reaches those very populations that are often marginalized and discriminated against. So in that sense I would say I do not know if conditionality is the way to go, but targeting of that assistance to ensure that it is reaching populations for whom we have the greatest concern is something that we have consistently sought to do and perhaps need to do more of in some of these countries.

Senator RUBIO. Just in closing, I would say there is no doubt that we have foreign aid that is directly related to populations and individuals, and certainly you can target that aid in the way you described. But we also do give foreign aid and assistance to governments, and I would just argue, and would like to have a further conversation with you about, the notion that when we do give for-

eign aid to governments one of the things that we should be looking at is whether these governments are conducting themselves in a way that reflects not just our interests, but also our values. Otherwise perhaps it's not a wise investment on the government side of aid.

Thank you.

Senator Kaine. Thank you, Senator Rubio.

Senator McCain.

Senator McCain. Thank you, Mr. Chairman.

Congratulations to you. I see your family is here today and I know they are very proud of you as well. I consider you another compelling argument for comprehensive immigration reform.

I want to talk just a minute about India and then a little bit about Sri Lanka. We all know India has been having some tough times. It is plagued by political gridlock and divisions, slow growth and a battered currency. It sounds like another country that I know.

It has led too many people believe that India is out of the arena, that it will never match up to China and many of us are wrong to have the aspirations that we had for the United States-India strategic partnership. I do not believe any of that. I have confidence in India, in our strategic partnership, and both our nations' ability to renew ourselves.

But I would like to ask you generally whether you share my optimism about India and our strategic partnership, but also can you describe what plans the administration has to step up our coordination and cooperation with India in Afghanistan, especially after 2014?

Ms. Biswal. Thank you, Senator, for that very important question. I do share your optimism. I think that the United States-India strategic partnership is an incredibly important one and one that has tremendous further potential for growth, for broadening, and for deepening, and that will be a priority if I am confirmed in terms of where I focus time and effort.

I think that, despite the concerns that are currently in place, I think the fundamentals of the Indian economy are strong and sound and that, as I noted in my statement, that India needs to perhaps take a more aggressive stance on opening and liberalizing its economy, and that that will enable further population between the United States and India on the economy front.

With respect to Afghanistan, I will note that the United States and India and Afghanistan participate in a trilateral dialogue where there is an opportunity to both share information and discuss concerns and priorities. That is something that if confirmed I will continue to engage in robustly. It allows the Indians to have greater visibility into where the United States-Afghanistan relationship, how the transition is unfolding, and for the United States and for Afghanistan to have an understanding of India's concerns and interests in the region.

India has already provided \$2 billion in economic aid to Afghanistan. We understand that it will continue to be an important and stabilizing influence on Afghanistan.

Finally, I note that in the Istanbul process in the heart of Asia, India does chair the confidence-building measures with respect to

the Afghan economy, with trade and with economic and with commerce.

Senator MCCAIN. What is the administration and your position on a free trade agreement with India?

Ms. BISWAL. I think that that is something that in the future we see as a very important and positive development. There are certainly concerns between the United States and India in terms of some of the protective tariffs and trade barriers that we think that India needs to address. But I would be very hopeful that we can see—

Senator MCCAIN. Does India seek to join the negotiations for the Trans-Pacific Partnership?

Ms. BISWAL. I know that that is something that the Indian Government has said that it is looking forward to at some moment.

Senator MCCAIN. Do you encourage that?

Ms. BISWAL. I would like to see us make progress on the bilateral investment treaty, Senator, and I would like to see the TPP as a natural outcourse of ongoing discussions between the United States and India.

Senator MCCAIN. Let us talk about Sri Lanka for a minute. It went through a terribly bloody conflict and now unfortunately there continues to be reports from human rights organizations, both ours and international organizations, that there is still significant human rights abuses taking place there against the Tamils, which rise to a level that is very disturbing. Is that your view?

Ms. BISWAL. That certainly comports with my understanding of the situation, Senator.

Senator MCCAIN. Should the United States be a little more active in condemning these ongoing serious abuses?

Ms. BISWAL. Senator, the United States has been very active and very engaged with Sri Lanka and in the international community in expressing our concern about both accountability and reconciliation between minority populations and majority populations in Sri Lanka. And we have made clear that we believe that if Sri Lanka does not address through its own internal processes that there will be increasing call for international processes to address these issues.

Senator MCCAIN. Does it make sense for the administration to offer India an opportunity to participate in the F-35 program?

Ms. BISWAL. I would like to look further into that, sir, and get back to you for the record.

Senator MCCAIN. I would appreciate it.

[The written information supplied by Ms. Biswa pertaining to the above question follows:]

India is a valued defense partner, and we are deepening cooperation in a number of fields, including a bilateral channel to enhance coproduction and codevelopment of defense platforms, sometimes referred to as the Defense Trade Initiative. To date, the Government of India has not formally expressed interest in participating in the F-35 program. Should India indicate interest in the F-35, the United States would be willing to talk to India about this program.

Senator MCCAIN. Despite your misguided political affiliation, I would like to say that you are a great example to all of us of people who come to this country—I know you were very young—and the opportunities that this country provides. Today Mr. Putin said that

it was wrong of the United States of America to call itself an exceptional nation. I think you and others like you are a great example of the fact that we are an exceptional nation. I do not think a lot of people are banging down the door to go to Russia, but I do believe that we continue to have an influx of blood and dynamism into our country that has made this nation an exceptional nation, and you're a great example of that.

So we look forward to confirming you as rapidly as possible.

Ms. BISWAL. Thank you, Senator.

Senator Kaine. Thank you, Senator.

Ms. Biswal, a couple more questions. One, does the rebalance to Asia overall strategy announced by the administration—I know that presents many opportunities and is probably seen positively throughout the real estate that you will represent, particularly to the extent there is a concern about withdrawal of Afghanistan signifying a weakening U.S. connection.

But the fact that we are rebalancing toward Asia I assume has some positives. Does it create any anxieties in the region, or is it seen as a good thing?

Ms. BISWAL. Well, I cannot speak to what anxieties individual countries might be feeling, but I do think, Senator, that the rebalance is an overwhelmingly positive refocusing and sharpening of the United States commitment and engagement to the Asia-Pacific region. If you look at some of the economic prospects for Asia over the coming decades, some projections indicate that Asian economies will comprise 50 percent of global GDP over the coming decades. So increasingly for the United States and for the world the success of Asian societies and Asian economies to create inclusive, transformational, and sustainable economic growth will drive economic growth globally, and it is in the United States interest, it is in the interest of the countries in the region, for the United States to forge a strong partnership for stability, for security, and for prosperity for all of our peoples.

Senator Kaine. Thanks, Ms. Biswal.

One of the questions that Senator Risch asked, really a line of questioning, concerned Indian purchases of oil from Iran. He pointed out correctly there has been a long historical relationship and probably some reluctance on India's behalf to terminate that relationship. But I do think there are some interesting opportunities here. In April of this year there was an announced transaction where India was purchasing liquefied natural gas, LNG, from a United States producer and supplier. One of their announced reasons why they were happy about that purchase was it would enable them to reduce reliance upon oil from the Middle East.

Just in working with your Indian counterparts, they can maintain a relationship with Iran by saying: Look, we are going to eliminate our purchases or dramatically cut them even more unless and until you make plain that you do not have a path toward nuclear weaponry, but as soon as you do we are not only going to buy what we are buying, we want to buy more. So just in your dialogue with Indian counterparts that would be an important thing.

I raised a similar proposition with Chinese Government officials recently and one of the first things they said is: We would love to do that if you will sell us natural gas. So the natural gas issue and

natural gas exports, it is controversial for other reasons here in the body and we are going to be thrashing that through.

But to look at natural gas not only as a valuable commodity for our own country, but as a way through strategic partnerships to advance our goal of tightening sanctions on Iran until they make the right decision about their nuclear weapons program, there are some real opportunities there in the natural gas reserves of the United States and using that in trade. So I just recommend that for your use.

Ms. BISWAL. Absolutely, Mr. Chairman. Apropos to your point, I was pleased to note that yesterday the Department of Energy approved Dominion Cove Point for exporting LNG to non-FTA countries, and India stands to benefit from over half of the exports from that facility.

Senator KAINE. The news accounts—and Senator Rubio mentioned a couple of them—about violence against women in India in the recent months and maybe in the last year or two have been very, very troubling. Based on your experience in the region, is it an uptick in violence, is it an uptick in the reporting of violence? Is it sort of changing cultural or religious sensibilities?

To what do you attribute the fact that this is an issue that is much more prominent in news here and around the world?

Ms. BISWAL. Well, certainly the reporting, the coverage of some of the horrific incidents that have come to light in recent months, have shocked, shocked Indians as well as those who care about these issues, which is all of humanity. What I would say is that the coverage and the reaction to that horrific incident in Delhi with Nirbhaya has I think in some ways transformed and galvanized how the Indian public and the Indian media look at these issues.

So certainly you are seeing far more coverage because you have an Indian press that is very sensitized to this and you have a public that is very sensitized to it. So I do not know that it would necessarily reflect an uptick, but I am heartened by the fact that there is now so much attention and so much demand for action and accountability.

Senator KAINE. One last question I have is just moving to Central Asia. You talked in your opening statement about how so much of our policy with respect to the five Central Asian states that were formerly part of the Soviet Union has been driven by Afghanistan. As we are moving into the next chapter of our relationship with Afghanistan after 2014, talk a little bit about the opportunities and challenges in those five countries and how you hope to focus on them in your new role?

Ms. BISWAL. Thank you, Senator. We had a chance to talk about this a little bit in our discussion yesterday. But what I would say is that the United States because of its engagement in Afghanistan has had an opportunity to establish deeper relationships with the countries of Central Asia. Understanding that we have many concerns about many of these countries, I think it has been a positive that we have been able to engage in dialogue and discourse with all five Central Asian states and that we have annual bilateral consultations and a strategic partnership with Kazakhstan, which allows us to talk about how the United States can engage with and support the economic development priorities of all of these coun-

tries and also engage in discourse about the areas where we have disagreement and divergence.

But that dialogue is an important one to advance these issues, because they will not be advanced overnight and easily, but if we are present and if we have a continuing commitment to engage in the region, then we will be far more likely to be able to see some results in the course of time. And it is certainly critical that we see Central Asia, Afghanistan, Pakistan, and a region that historically has been one of the least connected in the world in terms of trade and economy, that we see that region become more integrated.

That is something that will advance the interests of all in the region. So we would like to see a Central Asia that has greater connections into South Asia through the linkages with Afghanistan and Pakistan, and that is something that we can only advance through our ongoing engagement.

Senator KAINE. And that engagement is desired by the other countries as well. I mean, they have traditionally been in very close sphere of influence with Russia. They are proximate to China. India is close. But there is also a desire for that engagement with the United States.

Ms. BISWAL. Absolutely, across the board.

Senator KAINE. I have no other questions. What I would like to do is thank you for your presentation today, and I think the tenor of the questions has been positive and we will move I think promptly on your nomination.

I want to announce, for Senators, either those here or not here, that questions for the record—additional questions to be submitted to you—will be due by noon tomorrow. But again, I very much appreciate the opportunity to chair this meeting. The Foreign Relations subcommittee that I chair is overlapping much of your real estate. Congratulations on the nomination and my best to your family.

With that, the meeting is adjourned.

[Whereupon, at 11:01 a.m., the meeting was adjourned.]

ADDITIONAL QUESTIONS AND ANSWERS SUBMITTED FOR THE RECORD

RESPONSES OF NISHA DESAI BISWAL TO QUESTIONS SUBMITTED BY SENATOR ROBERT MENENDEZ

Question. On August 12, 2013, The Wall Street Journal reported that India was considering increasing crude oil imports from Iran. This reported arrangement would include the purchase of Iranian oil with Indian rupees which would then be used by the Iranians to purchase Indian goods. Over the past 2 years, India has made noteworthy progress in sharply decreasing crude oil purchases from Iran, a move which has contributed greatly to international efforts to increase pressure on the regime. I am very concerned that anything but a continued steady decline in oil imports to India will send the wrong message of diminished international resolve to the Iranian regime. I am also concerned that such a move would significantly impact United States-Indian relations at a time when the relationship has steadily strengthened.

- Has the Indian Government communicated its intention to the U.S. Government that it will increase imports of Iranian oil in the coming period? What measures is the State Department prepared to take to ensure that India continues to decrease imports of Iranian crude oil?

Answer. We have engaged the Government of India about the recent press reports in question and expressed our concerns. We understand Indian officials have floated the idea of increasing oil purchases from Iran to stabilize the falling rupee. India

pays Iran for its oil in rupees, which are then used to purchase food and medicine to be exported to Iran. However, we believe India's importers intend to continue to reduce the volume of purchases of Iranian crude oil. The United States continues to engage in close consultations with the Indian Government on U.S. sanctions, and our governments share the objective of pressing Iran to comply with its international obligations.

India's strategic decision to diversify its crude oil imports has resulted in significant reductions in its crude oil purchases from Iran. Since India was the second-largest importer of Iranian crude oil prior to the enactment of oil sanctions, every percentage point in reduced crude oil imports translates into a significant revenue loss for Iran.

When considering renewing the exception, which expires on December 1, 2013, the Secretary will take into account a variety of public and nonpublic information sources. We are confident we are making an accurate determination, based on the best possible available data, both public and nonpublic. In India, as in all other importing countries, it is important to look at the actual import numbers and trends rather than press reports or other statements which may be misleading. We have worked diligently to establish a worldwide effort to track Iranian crude oil exports and ensure full implementation of sanctions. India appears to be on a trend of further diversifying its crude oil supplies and reducing its imports of Iranian crude oil, despite some variation in its crude oil purchases. There is always some month-to-month variability in crude oil purchases.

Question. The political situation in Sri Lanka continues to deteriorate with increased reports of human rights abuse against the Tamil population and lack of progress by the government to abide by commitments made following the Lessons Learned and Reconciliation Commission. The government of Mahindra Rajapaksa has also refused to comply with the U.N. Human Rights Council's March 2012 resolution on reconciliation and accountability. The United States has played a strong leadership role in advancing resolutions on Sri Lanka at the U.N. Human Rights Council, but these efforts have not resulted in any significant change in behavior on these issues by the Sri Lankan government.

- Under what circumstances would the United States support an international investigation into reports of atrocities and human rights violations committed during the country's civil war?

Answer. Four years after the end of Sri Lanka's terrible civil conflict, the United States remains deeply concerned about the lack of meaningful progress on reconciliation and accountability, and about recent backsliding on human rights and democratic governance. The two U.N. Human Rights Council resolutions in March 2012 and March 2013 drew international attention to these concerns and provided much-needed support to Sri Lankan civil society working on issues of reconciliation, accountability, and human rights. As part of our strategy to encourage both credible progress on reconciliation and investigations into serious allegations of violations of human rights law and international humanitarian law, we are currently reviewing a range of options for further action in the March 2014 Human Rights Council session.

We support United Nations High Commissioner for Human Rights Navi Pillay's recent call for credible investigations into alleged human rights abuses. As she stated, "unless there is a credible national process, calls for an international inquiry are likely to continue." We also frequently raise our concerns with the highest level of the Sri Lankan Government about the lack of progress on accountability and urge them to utilize U.N. resources, including technical assistance, to make meaningful progress. In the past 6 months, Sri Lanka has taken some initial steps, including creation of a Commission of Inquiry to investigate disappearances and abductions during the war. We will continue to press the Sri Lankan Government to ensure that these mechanisms are credible, independent, and transparent.

Question. The United States has clear national security interests in maintaining the Northern Distribution Network capability through the end of 2014 and perhaps beyond, as U.S. forces gradually draw down from Afghanistan. Given the authoritarian nature of the Uzbek Government, I am concerned about the depth of our security relationship with the country.

- How much security assistance has the United States provided to the Uzbek Government over the past 2 fiscal years? How has cooperating with Uzbekistan strengthened our national security interests in the region? Has our security cooperation with the Uzbek Government had any measurable impact on U.S. efforts to support human rights and democratic reform in the country?

Answer. The United States provided \$33.26 million in security assistance to Uzbekistan in FY 2012 and plans to provide \$24.11 million in FY 2013. This assistance included funding for two railroad scanners on the Northern Distribution Network (NDN), which will speed up clearance of retrograde shipments from Afghanistan. The United States also provides nonlethal training and tactical equipment to strengthen counternarcotics and border security capabilities of law enforcement organizations; training to support the professionalization of Uzbekistan's military, including English-language training; and maintenance of radiation detection equipment through the Institute of Nuclear Physics, which will be handed over to the Uzbekistani Government over the next 2 years. Assistance also includes funding for Ravens, small hand-launched remote-controlled unmanned aerial vehicles with no lethal weapons capabilities.

As the United States draws down forces in Afghanistan, the NDN, as an alternative to southern ground lines of communication, is an important transit route. Maintaining more than one route increases our flexibility and guards against the disruption that occurs when a single route is subject to interdiction or delay. In 2011, the United States and Uzbekistan negotiated an overflight agreement, which permits frequent flights of cargo aircraft to and from Afghanistan. Uzbekistan understands that the NDN helps address one of its major national security concerns—establishing a stable and secure Afghanistan on its southern border—and this helps us secure Uzbekistan's support for the NDN.

Improving Uzbekistan's capabilities to secure its southern border also improves regional security, one of our top national security priorities. To this end, we have worked with Uzbekistan to improve its counternarcotics capacity and enhance its ability to monitor and secure its southern border, strengthening Uzbekistan's ability to guard against transnational threats.

A growing security relationship with Uzbekistan has enabled us to develop a principled and constructive relationship with its government and people on issues such as human rights. Our engagement with Uzbekistan on security and logistics issues demonstrates the mutually beneficial nature of the bilateral relationship, and it has afforded us greater opportunities to raise sensitive human rights and democratic reform issues with the government. As we develop our relationship, we have greater room to argue that respect for human rights, fundamental freedoms, and political liberalization serve Uzbekistan's national interest by contributing to greater domestic stability and security. We also have been able to expand our work with Uzbekistan on judicial reform.

We continue to urge Uzbekistan to implement and enforce its international commitments on the elimination of forced labor. We are pleased that Uzbekistan has invited the International Labor Organization to monitor its labor practices during the 2013 cotton harvest, a step we have long advocated. The government also took law enforcement efforts to combat sex and transnational labor trafficking in 2012. In our bilateral dialogue with Uzbekistan, we have suggested concrete steps that the government can take to improve the environment for religious freedom. We continue to stress that allowing citizens to peacefully exercise their beliefs is an effective way to prevent violent extremism. We also are working actively to promote greater interaction between the government and independent civil society.

While cognizant of the importance of the NDN to the efforts in Afghanistan, we will continue to make clear that the nature of our partnership and the assistance we can provide Uzbekistan under current legislation is limited by Uzbekistan's actions on democratic governance, human rights, and fundamental freedoms.

Question. How is the United States supporting the Government of Bangladesh's efforts to implement the tripartite national action plan? The U.S.-Bangladesh Action Plan? The EU-ILO-Bangladesh Sustainability Compact? What is the United States Government's assessment of the Government of Bangladesh's ability to fulfill the requirements of these three plans in a timely and effective manner?

Answer. The United States, through high-level diplomatic discussions and U.S.-funded programs, is closely engaging with Bangladesh to implement an action plan to restore Bangladesh's Generalized System of Preferences (GSP) privileges, the ILO-supported tripartite national action plan, and the EU-ILO-Bangladesh Sustainability Compact. Through discussions in Dhaka with all stakeholders, the United States is working to help Bangladesh strengthen unions, ramp up inspections and improve compliance and transparency. Through these three plans, Bangladesh has publicly committed to working closely with the ILO, the United States, the EU, labor groups, industry associations, and buyers on important reforms to afford internationally recognized worker rights, but considerable steps still remain.

Bangladesh has committed to developing and implementing a plan to increase the number of government labor, fire, and building inspectors, including by hiring 1,000

inspectors (200 in 2013 and 800 in 2014) and 900 support staff; increase fines and other sanctions for failure to comply with labor, fire, or building standards; create a publicly accessible database of all RMG factories; establish a confidential complaint mechanism to report safety and worker rights violations; enact overall labor law reforms to address key concerns related to freedom of association and collective bargaining; and review and reform labor regulations governing Export Processing Zones for conformity with international standards.

Question. How many union organizers have been trained on workers' rights through USAID's Global Labor Program in Bangladesh? What is the current assessment of the effectiveness of this program in increasing and improving their capacity to organize workers? In terms of numbers trained and increased capacity, what is the end-goal of the program?

Answer. Initiated in 2011, USAID's Global Labor Program allocates approximately \$500,000 to Bangladesh to strengthen freedom of association by enabling garment workers to organize unions and represent their interests through collective bargaining. This program, implemented by the Solidarity Center, also works at the national level to codify labor standards related to wages and worker safety. Already, 1,850 activists have been trained on labor law, 185 trained on collective bargaining, 40 trained on comprehensive worker rights, and 20 organizers have been mentored on organizing.

The program already shows signs of success. The number of organizing committees formed has increased significantly in the first half of year in comparison to the 2 prior years of the program. In the last reporting quarter alone, organizers formed 21 new unions—11 already registered—equivalent to the number of unions formed in all of the first year.

Question. How many factory owners and managers have been trained on workers' rights through USAID's Global Labor Program in Bangladesh? What is the current assessment of the effectiveness of this program in increasing their understanding of the role of trade unions and their acceptance of and cooperation with union leaders and trade unions in their factories? In terms of numbers trained and achievable outcomes, what is the end-goal of the program?

Answer. As part of our comprehensive effort to support labor reform in Bangladesh, the U.S. Federal Mediation and Conciliation Service (FMCS) is working with the ILO on the critical early stages of developing a functioning industrial relations system in Bangladesh. FMCS has conducted negotiation and interest-based problem solving training to workers and management, including Bangladesh Export Processing Zone and Ministry of Labor officials, with the goal of providing an essential foundation for achieving real workplace rights and safety in Bangladesh. Since late 2012, two FMCS mediators have conducted three sessions of interest-based negotiation training under the ILO's Fundamental Principles and Rights at Work program. The sessions engaged more than 100 tripartite participants from RMG employers, BEPZA, unions, and Bangladesh's Ministry of Labor and Employment.

Question. How many trainers have been trained through the State Department's Strengthening the Capacity of Independent Workers' Organizations in Bangladesh's Readymade Garment Section and Export Processing Zones program? How many trainers does the program plan to train through the program's expiration in December 2014? What kind of training will the program provide to organizers and activists, especially women, to increase their capacity to recruit and represent Bangladeshi garment workers?

Answer. The Solidarity Center has received \$495,000 through December 31, 2014, to implement the "Strengthening the Capacity of Independent Workers' Organizations in Bangladesh's Readymade Garment Sector and Export Processing Zones" program. The overall goal of the program is to improve the economic well-being and working conditions of Bangladeshi garment workers by strengthening their independent worker organizations. As of September 2013, the program has trained 40 activists and leaders on plant-level organizing, including topics such as developing strategic organizing plans, identifying organizing targets and leaders, building organizing committees, charting the workplace and assessing workers, developing organizing messages, and understanding effective communication with workers. To support the organizers success in implementing their organizing strategies, the Solidarity Center is following up with the organizers on a weekly basis to get progress reports and work through challenges the organizers face in the implementation of the plans.

The Solidarity Center also partnered with the Bangladesh Institute for Labor Studies (BILS) to increase the participation and skills of women to be active organizers and leaders of the workers' organizations. The Solidarity Center and BILS

will soon begin gender equity training for 360 people to garner support from both male and female workers to address some of the challenges preventing women from joining or taking on leadership positions in the garment sector. In addition, the Solidarity Center and BLS will conduct women's leadership trainings for 720 people, focused on women leaders and activists.

Question. How many collective bargaining agreements have been reached in factories outside the EPZs? How can programs sponsored by the United States Government increase the capacity of union leaders to reach collective bargaining agreements outside the EPZs?

Answer. Collective bargaining agreements and union registration have increased substantially in 2013 compared to previous years. Over the last year, the Government of Bangladesh has registered approximately 50 new unions in the RMG sector, although about five are management-affiliated, and several unions have presented their charters of demands to employers and await a response. The Government of Bangladesh in August reregistered the Bangladesh Center for Workers Solidarity (BCWS), a prominent labor rights NGO and local implementing partner of the Solidarity Center.

To increase the capacity of union leaders to reach collective bargaining agreements, the Solidarity Center program also focuses on developing more effective leaders, especially women. The Solidarity Center hosts full-day organizing practitioners' roundtables to allow RMG union organizers to report on their organizing projects and to develop new skills on organizing and bargaining techniques as they operate in an otherwise challenging environment. The Solidarity Center also plans to host seminars that include bargaining skills training to utilize occupational safety and health and fire safety material as the basis of negotiations with employers.

Question. How many collective bargaining agreements have been reached in factories inside the EPZs? How can programs sponsored by the United States Government increase the capacity of Worker Welfare Societies to reach collective bargaining agreements inside the EPZs?

Answer. Bangladesh has publicly committed to bringing the EPZ law into conformity with international standards, so that workers within EPZ factories enjoy the same freedom of association and collective bargaining rights as other workers in the country. The United States has pressed Bangladesh to extend the national labor law, the Bangladesh Labor Act, into EPZs and has warned authorities against union busting.

Just as the Solidarity Center program works with unions outside the EPZs to reach collective bargaining agreements, it also engages in an almost identical way with Workers Welfare Associations (WWAs) inside the EPZs. Activities similarly focus on developing more effective leaders, especially women, by providing capacity-building for union leaders on effective collective bargaining techniques and occupational safety. The Solidarity Center hosts full-day organizing practitioners' roundtables to allow WWA organizers to report on their organizing projects and to develop new skills on organizing and bargaining techniques. The seminars utilizing OSH and fire safety material as the basis of negotiations with employers will include participation from unions and WWAs.

Question. It appears that the Strategic Dialogue meeting in June was quite successful, and I understand that Secretary Kerry agreed with his Indian counterparts that the United States and India would work together in the leadup to Prime Minister Singh's visit to Washington this month to resolve a number of bilateral issues. These include outstanding trade and investment difficulties facing U.S. companies, possible resumption of talks on a Bilateral Investment Treaty, advancing the civil nuclear agreement, resolving defense contract issues, and making progress on a climate change (hydrofluorocarbons) agreement. These are all critical to advancing the bilateral relationship. In particular, however, I remain concerned about the generally deteriorating investment climate in India and the difficulties American companies are facing in doing business there. I made my concerns clear in the letter Senator Portman and I—along with 38 other Senators—sent to Secretary Kerry prior to the Strategic Dialogue meeting, urging him to work with India to improve the business operation environment. There is great potential to expand our bilateral cooperation with India,

- I would appreciate your comments on the state of bilateral discussions to advance our mutual civil nuclear, defense cooperation, and environmental interests, and also request an update on the actions the administration is taking with India to eliminate the challenges facing American companies, such as forced local production, retroactive taxation, and inadequate protection for intel-

lectual property rights. How do you see your role and that of the State Department in furthering these various objectives?

Answer. The U.S.-India Strategic Dialogue, launched in 2010, has significantly broadened and institutionalized engagement and cooperation between our two countries across a wide spectrum of interests and priorities. Challenges and opportunities related to the civilian nuclear and defense sectors, climate change, and India's trade and investment policies remain top priorities for advancing the U.S.-India bilateral relationship. The 123 Agreement was a landmark in the United States-India relationship. While progress remains slow, particularly in the area of addressing concerns over India's domestic liability law, both sides are committed to working through the obstacles together, so that we can meet India's energy needs and help U.S. companies realize the agreement's commercial benefits.

Defense sales to India during this administration have resulted in tens of thousands of jobs created across the country. United States-India defense trade has grown from almost zero a decade ago to a cumulative total of nearly \$9 billion today. If confirmed, I will continue to advocate on behalf of U.S. defense companies who seek to enter into India's defense market, and encourage the further streamlining and integration of our respective procurement procedures, and will support the efforts underway through the Defense Trade Initiative, to encourage greater defense cooperation.

At the 4th U.S.-India Strategic Dialogue, Secretary Kerry and his Indian counterpart, External Affairs Minister Khurshid, announced a new bilateral Climate Working Group to elevate discussions on this administration priority, where Indian leadership is vital to global progress. More recently, G20 Leaders, including India, agreed to work more closely together in addressing dangerous hydrofluorocarbons. We also aim to work with India within the UNFCCC to advance efforts to reach an ambitious and inclusive international climate agreement for 2015. Through the annual Energy Dialogue and its working groups, the U.S. Government and India are also advancing clean, low-carbon energy access and reliability solutions through joint programs such as the Partnership for the Advancement of Clean Energy (PACE).

Advancing U.S. exports and access for U.S. companies abroad is a top priority for the Obama administration, including the Department of State. I understand that the Department of State, the Department of Commerce, USTR and other agencies continue to raise concerns with India, both bilaterally and in multilateral bodies such as the WTO, on a broad range of trade and investment concerns, including localization barriers and intellectual property protection. The State Department also plays an active role in the interagency task force on localization barriers to trade, established by USTR in 2012. We have also consistently raised the importance of a fair and predictable tax environment to U.S. businesses. Alongside the business community, the U.S. Government continues to make the case against policy measures that harm U.S. firms and prevent India from meeting its own growth and innovation goals.

If confirmed, one of my top goals will be to ensure that the Department of State continues to coordinate with agencies across the U.S. Government to encourage Indian policymakers to adopt policies that create a level playing field for U.S. companies. We have many avenues for this engagement, including the U.S.-India CEO Forum, Bilateral Investment Treaty negotiations, the U.S.-India Commercial Dialogue, and the Trade Policy Forum. I will also work closely with our teams at our Embassy and consulates in India, who are actively engaged with Indian policymakers and opinion leaders on a daily basis to advance U.S. interests.

RESPONSES OF NISHA DESAI BISWAL TO QUESTIONS SUBMITTED BY
SENATOR BOB CORKER

Question. For the past decade, the United States has consistently encouraged India to shoulder greater responsibility in international affairs. Yet New Delhi continues to shy away from assuming a more ambitious role on the international stage.

- What accounts for India's reluctance to play a larger role in international affairs? Does New Delhi lack the political will or institutional capacity or are other factors at play?

Answer. While India's economic transformation since 1991 has fundamentally changed the way it engages with the international system, India is sometimes reticent about shouldering greater global responsibilities, particularly given its focus on domestic responsibilities. India's foreign policy and national security architecture is still growing and building capacity will take time—for example, India's foreign service, while growing, is still smaller than Singapore's.

These factors, however, should not overshadow India's important role in the world, which has grown significantly over the last decade. A G20 member, India is playing a greater role in shaping regional architecture in Asia Pacific, has contributed \$2 billion in assistance to Afghanistan, is the third-largest troop contributor to U.N. peacekeeping operations, and is an active development partner in Africa through the India-Africa Forum. The United States and India hold regular consultations on a wide range of issues, from global energy flows to the Indian Ocean Region.

Like the United States at the turn of the 20th century, India's global emergence will not happen overnight, but because of our shared democratic values and convergence of interests, it remains in the U.S. interest to continue building a broad and vital partnership with India.

Question. Does the United States overstate India's strategic importance? Why or why not?

Answer. The priority we place on India reflects its growing global role and the potential of our partnership. Our European partners, Japan, Australia, Russia, and China are all eager to expand ties and enhance trade and investment with the Indian market. In the next two decades, India will become the world's most populous nation. Despite the recent slowdown, India remains one of the largest economies in Asia, and our bilateral trade in goods and services reached nearly \$100 billion in 2012. The world's largest democracy, India shares our commitments to pluralism and the rule of law. The 3-million strong Indian Diaspora underpins our strong people-to-people ties. With the world's third-largest army and a navy with growing blue water capabilities, India is an increasingly important security partner in Asia Pacific and beyond. Our strategic partnership will continue to grow given our democratic values, economic ties, and common interest in maintaining international norms.

Question. What areas for cooperation exist for the United States and India to partner with others in the Indo-Pacific, including Australia and Japan?

Answer. As part of its Look East policy, India has made expanding strategic and economic linkages in the Asia-Pacific a top priority and supports a strong U.S. presence in the region. This makes the Asia-Pacific a natural area for cooperation, and over the last 4 years our collaboration has grown significantly. The United States and India hold a substantive, twice-yearly regional dialogue on East Asia. Together with Japan, we have also held four trilateral dialogues and a fifth round is expected to take place this fall in Tokyo. The trilateral discussions have focused on humanitarian assistance and disaster relief; space cooperation; and regional connectivity. India has also been invited to participate in the 22-country Rim of the Pacific (RIMPAC) naval exercise hosted next year by PACOM.

The United States encourages India to take a greater leadership role in multilateral fora, including the East Asia Summit and ASEAN Regional Forum, due to our shared interests in maritime security, counterterrorism, nonproliferation, disaster relief, and other key issues. India signed an ASEAN Free Trade Services Agreement in December 2012. Taking advantage of the opening in Burma, India, is a strong support of greater connectivity and economic integration in South East Asia, including an Indo-Pacific economic corridor. Both our countries also recognize the strategic importance of the Indian Ocean and have expanded our engagement in this vital region. India served as chair of the Indian Ocean Rim Association for Regional Cooperation in 2012, and was instrumental in helping secure Dialogue Partner status for the United States.

India-Australia ties have been greatly bolstered by the Australian Labor Party's 2011 decision to overturn its prohibition of uranium sales to India, and through the commencement of civil-nuclear cooperation agreement negotiations in March 2013. Then-Prime Minister Gillard traveled to India in October 2012, and during a visit to Australia by Indian Defense Minister Antony in June 2013, the two countries agreed on enhanced security cooperation, including maritime exercises.

Question. What role does South Asia play in the Obama administration's "rebalance" to Asia?

Answer. Given the strategic and economic linkages between the Indian Ocean and the Western Pacific, South Asia, particularly India, is vitally important to advancing American interests in the Asia Pacific. In a February 2013 address, Indian Ambassador to the U.S. Nirupama Rao stated "We welcome U.S. engagement in Asia and the Indo-Pacific. The continuance of economic growth and prosperity in both our countries is in many ways linked to the opportunities for growth and prosperity in this region. It is a space that impacts our destinies, whose security and prosperity is vital to both of us." Like the United States, India views this region as vital to

its interests; India's own rebalance, the Look East Policy, is over two decades old. As we continue our rebalance to Asia, our growing cooperation in Asia Pacific is a testament to our shared interests.

Question. The Bangladeshi High Court on August 1 declared illegal the registration of the political party Jamaat-i-Islami with the Election Commission. The order came following a petition filed in 2009 challenging the legality of Jamaat's charter under the country's constitution. If the verdict stands, Jamaat would be unable to compete in upcoming national elections scheduled to be held in January 2014.

- What is your view of the Sheikh Hasina Government's efforts to ban the Jamaat from the political process?

Answer. We support the democratic process and respect for the rule of law. One of Bangladesh's great strengths is its commitment to pluralism. The Bangladesh High Court cancelled the registration of Jamaat-e-Islami as a political party after hearings on a petition filed by private citizens. This is a matter to be decided by Bangladeshi authorities, in accordance with Bangladeshi law and the Bangladeshi Constitution.

Question. There is concern that if the ruling Awami League Party and the opposition Bangladesh National Party (BNP) fail to agree on the mechanisms for conducting impartial elections, the BNP may refuse to participate in the electoral process.

- What impact would a BNP poll boycott have on political stability in Bangladesh?

Answer. A BNP boycott of the elections may lead to increased political protests and street violence. Such protests and violence could undermine Bangladesh's political stability and economic development. We have repeatedly urged the leaders of the major parties in Bangladesh to come together and agree on a way forward that will ensure free, fair, and credible elections in the coming months. What the way forward looks like is for the parties of Bangladesh to decide, but we firmly believe violence is never an acceptable solution and call upon all parties to refrain from the use of violence. Secretary Kerry wrote to Prime Minister Hasina and BNP leader Begum Zia on September 8, encouraging them to engage in constructive dialogue.

RESPONSES OF NISHA DESAI BISWAL TO QUESTIONS SUBMITTED BY
SENATOR JAMES RISCH

Question. Administrations for decades have sought to build deeper economic integration throughout Central Asia, but these efforts have met, at best, with modest success.

- What do you see as the obstacles to success and what changes would you prioritize to improve the chances of success for the region?

Answer. U.S. engagement and assistance have fostered economic development among the five Central Asian states. Initiatives such as the New Silk Road seek to link the economies and infrastructure of central Asia, Afghanistan, and south Asia. The United States has worked closely with multilateral and bilateral partners to support regional efforts to strengthen business and infrastructure links between the central Asian countries and Afghanistan, links that would aid their economic development and strengthen regional stability as well as Afghanistan's fiscal sustainability. The United States has also leveraged the Asian Development Bank's Central Asia Regional Economic Cooperation framework, which provides billions to advance regional development programs.

Regional consensus around the importance of economic integration is growing. Kazakhstan has recognized the value of, and become a strong advocate for, greater regional economic integration. Turkmenistan is working with Afghanistan, Pakistan, and India on a natural gas pipeline that will connect gas reserves in central Asia with growing demand for energy in south Asia. With support from our multilateral development bank partners, rail and electricity projects are under construction and helping build a stronger foundation for regional economic integration. Efforts to build people-to-people links, through regional projects such as two U.S.-supported symposia on women's economic empowerment, also advance our goals for regional economic integration.

The United States strongly believes that everyone's interests are served by inclusive and transparent trade regimes such as the WTO. To this end, we have encouraged and supported the central Asian states and Afghanistan in their WTO aspirations. Kyrgyzstan and Tajikistan are already members; Afghanistan and Kazakhstan are making good progress toward achieving membership; and other states have also expressed renewed interest.

While historically limited regional cooperation and securing international financing for large infrastructure have been challenges, these recent developments all show that central Asian states recognize the importance of regional integration. Continued strong U.S. support for these regional initiatives not only helps overcome past challenges these countries faced in working with each other, but also supports our interest in a secure, stable, and prosperous region.

Question. Please explain U.S. policy toward the Eurasian Union.

Answer. The United States does not oppose formation of the Eurasian Economic Union (EEU), to the extent that it is consistent with the prospective members' WTO and other international trade commitments. The United States believes strongly in the importance of inclusive and transparent trade regimes such as the WTO. We have an interest in continued engagement with the future members of the EEU to promote U.S. trade and investment interests. There are 170 million consumers living in Russia and other countries that form the current Customs Union, which will become the EEU in 2015.

However, the EEU can only promote the stability and prosperity it aims to achieve if it is truly voluntary and presents benefits to all member states. We have an interest in the EEU's development as a responsible member of the global economic system, rather than serving as a mechanism to protect internal industries and domestic constituents. The extreme inequality in size between the EEU's members means that it will be both important and challenging for negotiators to ensure that all EEU provisions and regulations are genuinely equal for all parties and will not constrain the ability of member states to liberalize trade and adopt the global framework of the WTO and other international arrangements.

Question. What are the major obstacles in India to completing a Bilateral Investment Treaty with India?

Answer. The United States Government remains committed to concluding a Bilateral Investment Treaty (BIT) with India that will help support our common goal of expanding foreign investment in each others' economies. A BIT would provide greater protections and opportunities for U.S. firms seeking to invest in India for the first time or expand existing investments.

In the past 10 years, the U.S. model text for our Bilateral Investment Treaties (BITs) has evolved to meet the needs of a variety of stakeholders. India is currently in the process of updating its model BIT agreement. Our current model BIT texts differ in several areas, including the treatment of investors prior to the time the investment is made, the coverage of local content requirements, and the approach to international arbitration. The U.S. model BIT also includes important labor and environment provisions that are not included in the model texts of many countries.

A BIT with India could stimulate Indian investment into the United States. India is one of the fastest growing sources of investment into the United States. Indian foreign direct investment in the United States increased from \$227 million in 2002 to almost \$5.2 billion in 2012, supporting tens of thousands of U.S. jobs.

The United States and India have engaged in BIT negotiations since 2008, with the last round held in June 2012. Both countries agree that concluding a BIT is a top economic priority, and we are pursuing further negotiations toward a comprehensive treaty, which has high standards, meets the needs of businesses, and more clearly defines investment rules and practices.

Question. While India has focused heavily on its border with Pakistan, India is growing more concerned about its border with China. Please explain these concerns and what assistance the United States can provide.

Answer. India has expressed a desire to build a positive relationship with China, but issues relating to a longstanding disputed border have led to friction in the relationship. The boundary begins north of Kashmir, in the Aksai Chin region, which is administered by China but claimed by India. From there the line runs southeast in three segments to the northeastern Indian state of Arunachal Pradesh. Most of Arunachal Pradesh is claimed by China as part of Tibet, and this area saw fierce fighting during the 1962 Sino-Indian war. The eastern part of the boundary, between Bhutan and Burma, is also referred to as the McMahon Line, a 1914 colonial boundary agreed to by British India and Tibet, but never recognized by China. The United States officially recognizes the McMahon Line as India's northeastern border with China.

Most recently, in April a People's Liberation Army incursion across the Line of Actual Control occurred in the Ladakh region. The Chinese State Councilor responsible for foreign affairs and the Indian National Security Advisor have held multiple rounds of border talks.

The United States continues to encourage greater dialogue between India and China, including dialogue for a peaceful settlement of their boundary disputes.

**NOMINATIONS OF CAROLINE KENNEDY, ANNE
PATTERSON, GREGORY STARR**

THURSDAY, SEPTEMBER 19, 2013

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

Caroline Kennedy, of New York, to be Ambassador to Japan
Hon. Anne W. Patterson, of Virginia, to be Assistant Secretary of
State for Near Eastern Affairs
Gregory B. Starr, of Virginia, to be Assistant Secretary of State for
Diplomatic Security

The committee met, pursuant to notice, at 10:05 a.m., in room SH-216, Hart Senate Office Building, Hon. Robert Menendez (chairman of the committee) presiding.

Present: Senators Menendez, Cardin, Shaheen, Murphy, Kaine, Markey, Corker, Risch, Flake, McCain, and Barrasso.

Also Present: Senators Charles Schumer and Kristen Gillibrand.

**OPENING STATEMENT OF HON. ROBERT MENENDEZ,
U.S. SENATOR FROM NEW JERSEY**

The CHAIRMAN. Good morning. This hearing of the Senate Foreign Relations Committee will come to order. Today we have a distinguished group of nominees for some critical positions in our Foreign Service. We will start off with the nominee for the ambassadorship to Japan, Caroline Kennedy. Normally, the chair and ranking member would make their opening statements first, but since we have two of our colleagues here today we are going to extend them the courtesy of making their comments and presentations to the committee first, and then we will give our opening statements. We look forward to having our two distinguished colleagues present their constituent from the State of New York.

I also appreciate my colleague and friend, Congressman Crowley being here in the audience as well.

**STATEMENT OF HON. CHARLES E. SCHUMER,
U.S. SENATOR FROM NEW YORK**

Senator SCHUMER. Thank you, Mr. Chairman. I want to thank you and Senator Corker, not only for the courtesy of introducing our great constituent, but for the great job you have been doing on this committee, and thank all the members for being here.

Mr. Chairman, Ranking Member Corker, it is my great privilege to introduce an individual who is well known to this committee, to most Americans, and to so many people around the world. Caroline Bouvier Kennedy is an American author, editor, philanthropist, and attorney, and I am proud to present her as President Barack Obama's nominee to be the next Ambassador to Japan.

I would like to welcome her lovely family, who I have had the privilege of knowing. Her husband Edwin Schlossberg and two of her three wonderful children are here: Tatiana, who actually went to high school with my daughter, and John. And Rose is in California, as well as Vicki Kennedy, Tim Shriver, John Bouvier, who are joining us here today as well. I am also sure that her father, mother, her uncles, and extended family are looking down with pride upon this hearing.

I should also note that I am extremely impressed that Caroline made it to this hearing today. You see, Mr. Chairman, just this past weekend she and her daughter Tatiana swam the Hudson River to raise money for the Leukemia and Lymphoma Society. It is a 3-mile swim from Nyack to Sleep Hollow, Mr. Chairman. I am not sure either of us could have accomplished that amazing feat.

But back to the introduction. Caroline Kennedy was educated in New York and Massachusetts. She attended the Brearley School, the Convent of the Sacred Heart, and the Concord Academy. She earned her bachelor of arts at Radcliffe College at Harvard University, her J.D. from Columbia Law School, graduating in the top 10 percent of her class.

From there, she embarked on a long and distinguished career that has spanned law and politics, as well as education and charitable work. It is a career that leaves me no doubt she is well qualified to take on this great task that awaits her if she is confirmed as the next United States Ambassador to Japan.

Caroline Kennedy grew up in the public eye and we as a nation grew up with her, sharing her joys as well as her heartbreaks. Born into a family that has built a legacy of service, both domestic and globally, she has dedicated her life to public service and to the elevation of our public debate, something badly needed these days. She has authored and edited books on the Bill of Rights, the right to privacy, poetry, and patriotism. She has served as a member of many, many boards of directors, the Commission on Presidential Debates, the NAACP Legal Defense and Educational Fund, and New York City's Fund for the Public Schools.

She also serves as an adviser to the Harvard Institute of Politics and as president of the Kennedy Library Foundation, something all of us have taken a great interest in because it is doing such a great job up there in Massachusetts.

In 2002 Caroline turned her attention to New York City's public schools and she accepted Mayor Bloomberg's offer to serve in the New York City Department of Education as the Director of the Office of Strategic Partnerships. In that position she succeeded in raising tens of millions in private funding to help modernize New York City's public schools, and we have many beautiful, new, up-to-date public schools in New York teaching kids, giving them a path, because of her efforts.

You see, Mr. Chairman, Caroline Kennedy represents the best of what our Nation has to offer and her dedication to public service continues in her desire to represent our Nation in Japan.

Too often forgotten in the history of the United States-Japanese relations is the critical role her father, President John F. Kennedy, and her uncle, Senator Bobby Kennedy, played in stabilizing that relationship in a time of crisis. Their efforts enhanced bilateral relations on a personal, cultural, and diplomatic basis and helped solidify the close and enduring ties between our countries that have lasted to this very day. A half century later, Mr. Chairman, I am fully confident that Caroline Kennedy will help nurture those ties built by her father and uncle and no doubt strengthen relations for another half century to come.

We all know that Japan remains one of our important allies in the Asia-Pacific region. It is a critical partner as we continue our economic strategy and pivot to the region. It is entering one of the most exciting periods in its history, because Japan is launching a bold economic program, which includes a major focus on women in the workforce, what has come to be called “womenomics.” I am confident that Caroline Kennedy will serve as a role model for Japanese, as well as American, women, especially in light of the fact that, if confirmed, she would be the first woman to be Ambassador to Japan, something that makes me and Senator Gillibrand very, very happy.

Caroline’s appointment would be a reaffirmation of the importance we place on bilateral relations at a time when Prime Minister Abe says “Japan is back.”

As you well know, Mr. Chairman, a key to successful ambassadors in Japan and elsewhere has been a close relationship that the ambassador has with the President. Caroline Kennedy has precisely the sort of close relationship with President Barack Obama that will ensure United States-Japan relations remain a focus at the very highest levels.

I have known her for many years. We have worked on many things together. She is one of the most sincere individuals I have ever met. Her passion to do right and do good burns so strongly within her. And I am certain that she will be able to take our dynamic relationship with Japan to new heights.

So I am proud to wholeheartedly support Caroline Kennedy’s nomination to be the next Ambassador to Japan, and I hope my colleagues will unanimously support her as well.

Thank you for the privilege—it is truly a privilege—to make this introduction.

The CHAIRMAN. Thank you, Senator Schumer.
Senator Gillibrand.

**STATEMENT OF HON. KIRSTEN E. GILLIBRAND,
U.S. SENATOR FROM NEW YORK**

Senator GILLIBRAND. Thank you, Senator Schumer, for those great remarks.

Thank you, Mr. Chairman, Ranking Member Corker. I am deeply honored to have the opportunity to introduce you today to Ms. Caroline Kennedy, a favorite daughter of New York, as Ambassador-designee to Japan. The confidence President Obama and Sec-

retary Kerry have placed in her to represent the United States in Japan and advance relations with a key U.S. ally in the Asia-Pacific region is well earned.

Ms. Kennedy has proven herself extraordinarily qualified for the position and the Nation will be stronger with her presence in Japan as the United States rebalances diplomatic engagement and resources toward the Asia-Pacific region. In addition to Ms. Kennedy's distinguished career as an author and an attorney, as president of the John F. Kennedy Library Foundation and chair of the Senior Advisory Committee of the Institute of Politics at Harvard University, she has dedicated much of her life to charitable and educational service. Her work has helped inspire generations of students and others to make their voices heard and to serve and strengthen our country.

I had the pleasure of visiting the Asia-Pacific region earlier this month, including Tokyo, where I was able to discuss with Japanese officials the deep and abiding relationship between the United States and Japan. This relationship has stood for decades and is a cornerstone in our efforts to bolster stability and security throughout the region amidst a rising number of challenges, including the ever-provocative North Korean regime intent on expanding its nuclear program over the objections of the international community.

Ms. Kennedy is undoubtedly the right person to advance and strengthen relationships with our Japanese ally in the face of these challenges and will play a key role in the administration's rebalance toward the Asia-Pacific region.

Finally, I am pleased to note that Ms. Kennedy would be the first woman ever to serve as U.S. Ambassador to Japan. During my trip to Japan, I had the chance to speak with a number of young women regarding the importance of women's leadership there.

Through her life, her work, her intellect, and her character, Ms. Kennedy will undoubtedly serve as a shining example of Japanese and American women, showing the power and potential of women in public service and how far we can go when women lead the way.

Mr. Chairman, I want to thank you again for the privilege of introducing this outstanding nominee.

Ms. Kennedy, I wish you great success as you undertake this very important post. I am fully confident that your passion and dedication will make you and our home State of New York proud. I look forward to your testimony.

Thank you.

The CHAIRMAN. Well, thank you both for the tremendous statements on behalf of Ms. Kennedy. We know that you have busy schedules, so please do not hesitate to move on to your next meetings whenever you need to. But you are welcome to stay as long as you wish.

Let me again welcome our nominee this morning, Ms. Caroline Kennedy Schlossberg of New York, to be the Ambassador to Japan. Let me welcome the family as well, because we always say that the families of those who make a commitment to Foreign Service are part of that commitment, and we appreciate their willingness to sacrifice and be part of that service to the Nation.

Let me take the opportunity to recognize the distinguished Ambassador of Japan to the United States, Ambassador Sasae, who is here today. Welcome, Mr. Ambassador. Thank you for being here. We appreciate you taking the time to join us.

Let me just say, Senator Rubio wanted it to be known for the record that he cannot attend today's hearing because of a death in his family, but otherwise he would have been present for this hearing. So we send our condolences to him and his family.

To all of us on both sides of the aisle, no matter our politics, the Kennedy name has been synonymous with public service for over a century, a family that has sacrificed so much in service to the Nation. Ms. Kennedy, your uncle Ted was a good friend to me here in the Senate, probably one of the best friends I had when I came here, and a good friend to many of our colleagues. His ability to express strong convictions, yet find a way to reach across the aisle, was a compelling example of what good governance is all about. Vicki, it is great to see you here today as you join in your niece's efforts here.

You represent a legacy of the best and brightest in politics in a time in our history when we were at the confluence of intellectualism and a respect for public service in government. You bring to this opportunity to serve the Nation an extraordinary range of qualifications beyond the oversimplified perceptions of your family pedigree—your own experiences, your own abilities, your own perspective, that uniquely qualify you for this position.

As an author and editor, president of the John F. Kennedy Library Foundation, chair of the Senior Advisory Committee of the Institute of Politics at Harvard, a trustee of the Kennedy Center for the Performing Arts, vice chair of the Fund for Public Schools in New York City, board member of New Visions for Public Schools, honorary chair of the American Ballet Theater, board of directors of the NAACP, as well as on the Commission on Presidential Debates, you have lived a life that honors your family's history of service to the arts and education, government, and the Nation. I believe you will bring a broad intellectual curiosity and commitment to serve in your new role as Ambassador.

If confirmed, as my colleagues have said, you will be the first woman to represent the United States as our Ambassador to Japan, a post that has been held by some of the most respected leaders in our country: former Senator Mike Mansfield, the longest serving U.S. Ambassador to Japan; former Speaker of the House Tom Foley; and former Vice President Walter Mondale.

It is a post that has always been and remains of the utmost importance to this Nation and to the people of Japan. Your nomination underscores the regional importance of the relationship between our two nations.

Now, having just visited Japan and the region this past August, I can tell you that you will assume these new duties amidst the rise of the Asia-Pacific region, which may well prove to be the single most transformative geopolitical shift of the 21st century. You will arrive in Tokyo at a time when friction between Japan and China on maritime disputes is high and many other challenges lie ahead as Asia-Pacific issues become global in nature.

You will arrive as the region takes on new economic importance. In 2010 U.S. exports to the Asia-Pacific region totaled \$775 billion, up almost 26 percent from 2009. In 2011 they totaled \$895 billion, accounting for 60 percent of our exports, creating and sustaining millions of U.S. jobs in sectors across the board, from automobiles to power generation, machinery, aircraft, and other vital sectors of our industrial economy. In just 3 years we have gone from \$775 billion in exports to the region to almost \$900 billion, and we can assume that figure will be a trillion in the not too distant future.

I think it is safe to say that for the rest of this century and beyond, much of the strategic, political, and economic future of the world will likely be shaped by the decisions made in Washington and the capitals in this region over the next 4 to 5 years.

Our alliance with Japan is a cornerstone of our strategic engagement in Asia, which will put you front and center in the United States-Japan partnership, a partnership of equals that links the world's first- and third-largest economies and highlights our shared commitment to democracy and human rights. Japan is a valuable trade and economic partner of the United States. Its views on regulation, the environment, and intellectual property complement those of the United States, and your voice on these issues will be America's voice in Tokyo.

On the Trans-Pacific Partnership, we look forward to working with Japan toward a comprehensive agreement that addresses labor, the environment, currency manipulation, and intellectual property rights. For Congress to support the TPP, we need to be assured that our industries are competing with Japanese industries on a level playing field. As Ambassador, you will be part of that effort. You will be at the table on issues concerning our military presence in Japan, like Okinawa. You will be there to bridge differences on any issues that may arise between our two nations.

So let me close by quoting your father from a commencement address he gave at Syracuse University the year you were born, not too long ago, which described the nexus between education and intellectualism and the importance of public service, reminding students that, "Our Nation's first great politicians were truly our ablest, most respected, most talented leaders, who moved from one field to another with amazing versatility and vitality."

In that speech he reminded graduates that a contemporary described Thomas Jefferson as "a gentleman who could calculate an eclipse, survey an estate, tie an artery, plan an edifice, try a cause, break a horse, dance a minuet, and play the violin." Now, I do not believe your father would have expected you to dance a minuet, but his point is well taken. Your background, your experience, your versatility, your intellect, and the legacy of service your family has stood for in American history makes you exactly the kind of person we need to serve the interests of this Nation as Ambassador to Japan.

Let me turn to my distinguished colleague, the ranking member, Senator Corker, for his comments.

**OPENING STATEMENT OF HON. BOB CORKER,
U.S. SENATOR FROM TENNESSE**

Senator CORKER. Thank you, Mr. Chairman.

I want to thank our two Senators from New York, who are highly respected, for being with us today, and certainly the nominee. I enjoyed our time together a couple days ago, and thank you for your lifetime of public service in a different way. I know you are doing something, or getting ready to do something, that is very, very different and it will have its own challenges. But I very much appreciate your desire to serve in this way.

Having your family here, as I mentioned in the back room, I doubt you are going to get much of a hard time today, for lots of reasons, but having your kids here ensures that that will be the case. I am glad that they are there, and certainly enjoyed talking with Vicki a little bit about her husband and our friend, and certainly appreciate the wonderful legacy that you and your family have in public service.

I want to also thank our Ambassador to the United States from Japan for being here. I think it signifies the tremendous role that you are going to be playing in Japan. Japan—I was just there also—relishes having people of great notoriety and public acclaim, and certainly in this case they are getting that in a heavy dose. I am glad that you are willing to do this, again.

You know, there are a lot of difficult issues in Japan right now, as we talked about the other day. While the relationship is a cornerstone of stability in the Asian-Pacific region and I know you know that well—we have 50,000 troops there. There are issues with North Korea that you as Ambassador will be heavily involved in. And we have the issues of strengthening our maritime abilities in that area, and I know that again that will be something that you will be focused on.

The fact that Japan was willing to enter the TPP negotiations was a game-changer, and I know our chairman alluded to some of the challenges that you will be dealing with there to ensure that we are able to compete on an equal basis.

I know as I was there Prime Minister Abe was very concerned about Washington's ability to deliver on the relationships that we have with some of the financial issues that we are dealing with here internally in our country. I know that you are going to have to be a champion for our national interests and assuring the Japanese people that we are going to honor those commitments. I know you are going to be willing to do that.

We still have the thorny issues, as you and I talked about in the office, regarding the relocation of the troops that we have there and some of the issues that internally the people of Japan have with us right now regarding that. But I know you are going to do that well.

Mr. Chairman, I know we have a second panel that is coming. I am going to go ahead and make my comments relative to them very briefly to save time. I know we have an ambassador's ambassador, if you will, coming up, Anne Patterson. I want to thank her for her wonderful public service also. She will be looking after the areas of the Middle East and North Africa. I do not know if we have a more qualified ambassador in our Foreign Service, and I know that she is going to have to develop a coherent, comprehensive strategy for how we deal with a lot of thorny issues, including and specifically Syria and Egypt. I think the American people are

going to need to fully understand the importance of Syria to our country and what our national interests are there. I know you will articulate that well.

In Egypt, while we might not like what the military has done in every way, we have a very important relationship with them. I know you will help lead us to a very good place there, keeping in mind that we have a lot of national interests. And I know that you will help us figure out a way to balance our security interests, but also our interest in democracy and human rights.

To Greg: I appreciate you being here regarding the diplomatic piece. I was, as you know, in Libya right after the events of that time. I know our diplomatic posts are very much at risk around the world. I thank you for your commitment in that regard. I know that what happened in Iraq was heroic in many ways and shows the best of our diplomatic security. At the same time, there is a lot of money that is flowing into Afghanistan and Iraq and that is not the case in many other places. I know that you will attack this job with great fervor.

So I thank all three of you for offering yourself in this way. I look forward to your comments and questions and certainly look forward to your service.

The CHAIRMAN. Thank you, Senator Corker. I will have some comments to make about our other nominees when I introduce them before the full committee.

Ms. Kennedy, it is now an opportunity for you to make a statement before the committee. Your full statement will be included in the record without objection, and the floor is yours.

**STATEMENT OF CAROLINE KENNEDY, OF NEW YORK,
TO BE UNITED STATES AMBASSADOR TO JAPAN**

Ms. KENNEDY. Mr. Chairman, Ranking Member Corker, members of the committee, Senator Schumer, Senator Gillibrand, it is an honor to appear before you this morning as the President's nominee to serve as the United States Ambassador to Japan. I appreciate the confidence that President Obama and Secretary Kerry have shown in nominating me for this important position, and I am grateful for the consideration of this distinguished committee.

I appreciate the opportunity to be here today to answer your questions and hear firsthand your thoughts and concerns about our essential relationship with Japan. If confirmed, I look forward to working with the committee and with other Members of Congress to advance the interests of the United States, protect the safety of our citizens, and strengthen the bilateral relationship to the benefit of both our countries.

I would also like to thank my family for their support throughout this process and their enthusiasm for this mission. My husband, Ed, is here along with two of my three children, my daughter, Tatiana, and my son, Jack, and I am so pleased that my aunt, Vicki, could be here this morning as well. She carries with her every day the spirit of my uncle, Teddy, whose devotion to this institution, to his colleagues and our country was an inspiration to all of us.

I am humbled to be following in the footsteps of some of Congress' most distinguished members—Senator Mansfield, Vice Presi-

dent Mondale, Speaker Foley, and Senator Baker. If confirmed, I will try every day to live up to the standard they set in representing the United States and advancing our relationship with Japan. I am also grateful to Ambassador Tom Schieffer and especially to Ambassador John Roos and Susie Roos for their generous advice and wisdom.

I would also like to acknowledge Ambassador Sasae from the Embassy of Japan, who is himself a distinguished diplomat and has been a steadfast friend to the United States.

I can think of no greater honor than to represent my country abroad. I have spent my career working to make American history and ideals accessible to the widest possible audience and in particular to younger generations. As President of the Kennedy Library, I am proud that my father became the first digital President when we made his papers available online around the world. As chair of Harvard's Institute of Politics, I have worked to train new generations of leaders to pursue careers in public service and expand international opportunities for students.

In my books on the Bill of Rights and the right to privacy, I sought to engage young audiences in the debate over our fundamental rights and give them the tools and understanding to advance and defend our liberties.

For the past 10 years I have been working with the New York City public schools on education reform efforts. In a school system where students speak more than 130 languages at home, I worked to increase individual literacy, cultural awareness, college access, arts education, and international exchange programs. I saw the power of public-private partnerships to leverage involvement and results, and if confirmed I look forward to building upon these experiences to strengthen the ties between young people in Japan and the United States.

And finally, this appointment has a special significance as we commemorate the 50th anniversary of my father's Presidency. I am conscious of my responsibility to uphold the ideals that he represented—a deep commitment to public service, a more just America, and a more peaceful world. As a World War II veteran who served in the Pacific, he had hoped to be the first sitting President to make a state visit to Japan. If confirmed as Ambassador, I would be humbled to carry forward his legacy in a small way and represent the powerful bonds that unite our two democratic societies.

I can think of no country in which I would rather serve than Japan. I first visited in 1978 with my uncle, Senator Kennedy, and was deeply affected by our visit to Hiroshima. Our countries are bound by deep political, economic, cultural, and strategic ties, and our partnership has a global reach. The United States and Japan share a commitment to freedom, human rights, and the rule of law. Japan is the world's third-largest economy, our fourth-largest trading partner, and the second-largest source of foreign direct investment in the United States.

Japan is home to 50,000 U.S. troops, the Seventh Fleet, and 170,000 American citizens. As the United States rebalances toward Asia, our alliance with Japan remains the cornerstone of peace, stability, and prosperity in the region, as it has been for more than

50 years. If confirmed, I will work closely with the leadership in the U.S. military to further strengthen our bilateral security relationship.

At the same time, Japan is an indispensable partner in promoting democracy and economic development in the region, as well as in global humanitarian efforts and peacekeeping. These are areas I care deeply about, and if confirmed I will work to further strengthen this critical partnership at a vital moment in its history.

This is indeed an important moment in the history of United States-Japan relations. Japan is enjoying a period of political stability and economic renewal and is eager to increase trade and investment with the United States. If confirmed, I look forward to working with American business to expand and promote American exports, trade, and support initiatives such as the Trans-Pacific Partnership.

In addition, I will work to increase exchanges between American and Japanese students, scholars, and citizens, so that future generations will understand our shared history and continue to bind our nations closer.

Finally, if confirmed I will meet my most fundamental responsibility, to promote and protect the welfare of all American citizens in Japan. This includes providing a safe and secure environment for U.S. Government employees and their families.

I especially look forward to benefiting from the support of the talented Foreign Service professionals, both American and locally engaged staff, at our mission in Japan.

I would like to thank this committee for your consideration of my nomination. If confirmed, I look forward to working closely with you to advance our national interests, protect our citizens, and deepen our ties with Japan.

Thank you.

[The prepared statement of Ms. Kennedy follows:]

PREPARED STATEMENT BY CAROLINE KENNEDY

Mr. Chairman, Ranking Member Corker, and members of the committee, it is an honor to appear before you this morning as the President's nominee to serve as United States Ambassador to Japan. I appreciate the confidence that President Obama and Secretary Kerry have shown in nominating me for this important position, and I am grateful for the consideration of this distinguished committee.

I appreciate the opportunity to be here today; to answer your questions and hear first-hand your thoughts and concerns about our essential relationship with Japan. If confirmed, I look forward to working with the committee and with other Members of Congress to advance the interests of the United States, protect the safety of our citizens, and strengthen the bilateral relationship for the benefit of both our countries.

I would also like to thank my family for their support throughout this process, and their enthusiasm for this mission. My husband Ed is here along with two of my three children, my daughter, Tatiana, and my son, Jack. I am so pleased that my aunt, Vicki, is here as well. She carries with her every day the spirit of my uncle, Teddy, whose devotion to this institution, to his colleagues and country, was an inspiration to all of us.

I am humbled to be following in the footsteps of some of Congress' most distinguished members—Mike Mansfield, Walter Mondale, Tom Foley, and Howard Baker. If confirmed, I will try every day to live up to the standard they set in representing the United States and advancing our relationship with Japan. I am also grateful to Ambassador Tom Schieffer and especially to Ambassador John Roos and Susie Roos for their generous advice and wisdom.

I would also like to acknowledge Ambassador Sasae from the Embassy of Japan, who is himself a distinguished diplomat and who has been a steadfast friend of the United States.

I can think of no greater honor than to represent my country abroad. I have spent my career working to make American history and ideals accessible to the widest possible audience, and in particular, to younger generations. As President of the Kennedy Library, I am proud that my father became the first “digital” President, when we made his papers available online around the world. As Chair of Harvard’s Institute of Politics, I have worked to train new generations of leaders to pursue careers in public service and to expand international opportunities for students.

In my books on the Bill of Rights and the Right to Privacy, I sought to engage young audiences in the debate over our fundamental rights and to give them the tools and understanding to advance and defend our liberties.

For the past 10 years I have been working with the New York City public schools on education reform efforts. In a school system where students speak more than 130 languages, I worked to increase individual literacy, cultural awareness, college access, arts education and international exchange programs. I saw the power of public-private partnerships to leverage involvement and results, and, if confirmed, I look forward to building upon those experiences to strengthen the ties between young people in Japan and the United States.

And finally, this appointment has a special significance as we commemorate the 50th anniversary of my father’s Presidency. I am conscious of my responsibility to uphold the ideals he represented—a deep commitment to public service, a more just America and a more peaceful world. As a World War II veteran who served in the Pacific, he had hoped to be the first sitting President to make a state visit to Japan. If confirmed as Ambassador, I would be humbled to carry forward his legacy in a small way and represent the powerful bonds that unite our two democratic societies.

I can think of no country in which I would rather serve than Japan. I first visited in 1978 with my Uncle, Senator Kennedy, and was deeply affected by our visit to Hiroshima. Our countries are bound by deep political, economic, cultural and strategic ties, and our partnership has a global reach. We share a commitment to freedom, human rights, and the rule of law. Japan is the world’s third-largest economy, our fourth-largest trading partner, and the second-largest source of foreign direct investment in the United States.

Japan is home to 50,000 U.S. troops, the U.S. 7th Fleet, and 170,000 American citizens. As the United States rebalances toward Asia, our alliance with Japan remains the cornerstone of peace, stability, and prosperity in the region, as it has been for more than 50 years. If confirmed, I will work closely with the leadership in the U.S. military to further strengthen our bilateral security relationship.

At the same time, Japan is an indispensable partner in promoting democracy and economic development in the region, as well as in global humanitarian efforts and peacekeeping. These are areas I care deeply about, and, if confirmed, I will work to further strengthen this critical partnership at a vital moment in its history.

This is indeed an important moment in the history of U.S.-Japan relations. Japan is enjoying a period of political stability and economic renewal and is eager to increase trade and investment with the United States. If confirmed, I look forward to working with American business to promote American exports, expand trade, and support initiatives such as the Trans-Pacific Partnership.

In addition, I will work to increase exchanges between American and Japanese students, scholars, and citizens so that future generations will understand our shared history and continue to bind our two nations even closer.

Finally, if confirmed, I will meet my most fundamental responsibility: to promote and protect the welfare of all American citizens in Japan. This includes providing a safe and secure environment for U.S. Government employees and their families.

I especially look forward to benefiting from the support of the talented Foreign Service professionals, both American and locally engaged staff, at our Mission in Japan.

I would like to thank this committee for your consideration of my nomination. If confirmed, I look forward to working closely with you to advance our national interests, protect our citizens, and deepen our ties with Japan.

The CHAIRMAN. Thank you very much.

We will start a round of questions. Here in the United States we have been closely following Abenomics, the efforts by Prime Minister Abe to economically revitalize Japan’s economy. He talks about three arrows: the first two are fiscal stimulus and monetary easing—and the markets have reacted very positively to those. The

last one—structural reforms—is a tough one. It is tough here in the United States, and it is tough in Japan.

In that regard, when I met with the American Chamber of Commerce in Japan, they expressed concern about the narrowly targeted tax reform in Japan, in contrast to the broader investment and tax incentives that the U.S. business community has been calling for.

How do you envision working with our Japanese counterparts to ensure that structural reform in Japan is seen as both an internal issue there and an economic issue back here in the United States. How do you see your role as Ambassador in that respect?

Ms. KENNEDY. Well, I think that Japan's entry into the Trans-Pacific Partnership provides an opportunity for our countries to work more closely economically. This agreement also provides an opportunity for bilateral talks between the United States and Japan on a number of these nontariff issues and market access issues, as well as a dispute settlement mechanism should there be issues along the way.

I know that the team in Tokyo is focused on the implementation of that agreement should it go forward, and I as Ambassador would take a deep and personal interest in working with American companies to make sure that the Japanese market is open to them and working with the Japanese Government to make sure that the accord is fully implemented.

The CHAIRMAN. I appreciate that. I think Prime Minister Abe looks at the Trans-Pacific Partnership as an opportunity to achieve some of the structural reforms that will be needed for accession to the agreement. I hope that, upon your confirmation as our Ambassador to Japan, you will work with our Trade Ambassador to develop the strongest TPP, which I think provides a pathway for the reforms that we just talked about.

Another significant issue is that the Abe government is in the midst of a defense policy review that will yield new national defense program guidelines by the end of the year, and may very well re-interpret the constitution to exercise the right of collective self-defense, with implications for the United States-Japan alliance. Collective self-defense means that if you have a U.S. ship alongside a Japanese ship and if, God forbid, there was a strike against the U.S. ship, collective self-defense means that the Japanese would be in a position to respond and not just simply watch.

That is important to our national security interests in the region, as well as our efforts in changing our base status at Okinawa, which has been both an opportunity for continued security, but also a challenge. Creating the space for the Governor of Okinawa to issue the landfill permit is a linchpin of our efforts to refocus our position there and is incredibly important. To a large degree, the Japanese Government will have to create the space for the Governor, but I think there is a role for the American Ambassador to help create a space for the Governor.

Could you talk a little bit about how you see that process?

Ms. KENNEDY. Well, our military and national security relationship obviously has many complex issues embedded within it. But it is, as you say, the cornerstone of peace and stability in the region. I think that there seems to be some hope for progress on the

Okinawa issues and I know that Senator McCain, in particular, and other members who I have spoken to, are deeply concerned about the process moving forward involving a realignment plan and a landfill plan.

So I have assured him that I will take a personal interest. I have met and hope to meet further with Admiral Locklear, I have met with General Angelella, and military issues would be something that I would spend a good deal of time on and work hard to see those issues through.

As you say, I think the Japanese are engaged in a process of debating their self-defense and collective self-defense, and I think that is obviously a debate that they need to have within their own society. I would watch it very carefully and work with people here in Washington and people in Tokyo to make sure that we understand and are supportive of that process in whatever way that I can.

The CHAIRMAN. A final question before I turn to Senator Corker. We ask this of all of our nominees. At least since I have become the chairman, we ask it of all of our nominees. And that is that, if confirmed, will you be responsive to questions and requests from the committee about issues facing our bilateral relationship?

Ms. KENNEDY. Of course that would be one of my most important activities, and if confirmed I hope that I will get to spend even more time with all of you than I have already been fortunate enough to do.

The CHAIRMAN. You have already shown your prowess, all right. Senator Corker.

Senator CORKER. I will say that the question he asks of all Ambassadors is the easiest question they get, and they all answer it the same way. Anyway, that is very good, and thank you.

Listen. We talked the other day at length and to try to get into a lot of depth on policy issues when I know that you have been wafted out of New York into this position and are preparing heavily is really not the thing to do. It would be like, candidly, asking me those questions upon my first day of arrival in the United States Senate. So I will not go down that path.

I do know that you care deeply about public service and I think that matters. I think you have a good sense of what our national interests are and will develop those even more deeply. I think you are going to be a great Ambassador to Japan and, candidly, the kind of Ambassador that they are used to having in Japan. So I am glad you want to serve in this way and your family is willing to let you do that.

I would like to talk just a little bit about, between now and then, what is happening to prep and get you ready for all the complexities that you are going to be dealing with when you get there.

Ms. KENNEDY. Well, I have had the benefit of a lot of guidance from the State Department already and I am now engaged in meeting with other agencies, and I would love to come back and meet with all of you and other Members of Congress before I leave, and I will do my best to get up to speed on all the issues, especially those affecting Tennessee and the auto industry.

Senator CORKER. Well, thank you. I know that as a matter of fact, since you have jumped to that issue of the TPP, I think it is

a tremendous opportunity for us and I think you do, too. What are some of the things—I know you met with Mike Froman the other day to talk a little bit about TPP and some of the things that we are going to be dealing with. Can you raise—do you know at present what some of the rubs may be, some of the tougher areas that we might have to overcome relative to TPP in Japan itself?

Ms. KENNEDY. Well, I think the USTR is hopeful and everybody has been impressed that the Japanese have come to the table and are willing to put everything on the table. So they seem rather optimistic about the chances for success and the benefits that this would bring to both our economies.

Senator CORKER. So have they raised any issues, though, that they think might be some of the more difficult to overcome?

Ms. KENNEDY. Well, I think that those are being handled in this bilateral set of talks, and they had a good session, I understand, and they are speaking about American autos entering the Japanese market and removing restrictions to that, as well as some of the agricultural products that Japan has long sought to protect, obviously. But I think that everybody is impressed by Prime Minister Abe's commitment to really a comprehensive, high quality accord.

Senator CORKER. Has there been much discussion about the East China Sea territorial issues and what role you are going to be expected to play as Ambassador in those issues, with China flexing, if you will, in those areas?

Ms. KENNEDY. Well, I think our policy on the islands in the East China Sea is obviously we would like to see those issues resolved through peaceful dialogue between the nations in the region, but as far as the islands are concerned the U.S. policy has been, as you know, longstanding and very clear: We do not take a position on the ultimate sovereignty of the islands, but we do recognize they are under Japanese administrative control and are covered by article 5 of our security treaty. So it is something that I would be watching very carefully and working as many different ways as I can to encourage the nations in the region to discuss and resolve those disputes and lower the tension in the region.

Senator CORKER. We talked a little bit about the current Ambassador, and he has been able, I guess, to develop an area that he is really focused on in the public-private partnerships, and I know you alluded to that earlier. You know, the way the Ambassador's role is in Japan, it is really unique. The Ambassador has a very special role there, and the relationship between the United States Ambassador and the people of Japan or the country at large is very different than in many other cases.

I know we talked a little bit about you are going to have a tremendous opportunity, not just to deal with the United States-Japanese relationship and the things that are in our national interest, but you are going to have an opportunity really to carve out an area where you can have a real impact in Japan, just like you have done in New York and other places. I do not know if you have thought about that. I know you are just beginning to see those opportunities, and none of us really know until we arrive exactly how things are going to be.

As a matter of fact, you do not even have to answer the question. I know you are going to figure out a way of doing that. I have a

sense that you will do that very, very quickly and you will have a big impact there. I just, without pushing you to have to respond to that now, I want to thank you for your willingness to serve. I know you are going to address these issues in a serious way, and we look forward to working with you.

Ms. KENNEDY. Thank you, Senator.

The CHAIRMAN. Let me just say, Senator Corker said that is the easiest question; the last question I asked. I ask it for a purpose because, having had an experience on this and other committees, sometimes our nominees when they are nominees are very forthright and very helpful in sharing information; once they become the Ambassador it is a little more difficult. So I like to have it on the record to remind them.

Ms. KENNEDY. That is good.

The CHAIRMAN. I do not expect that in this case, but I have had experiences here. It may be the easiest question—

Ms. KENNEDY. I grew up under the tutelage of a great Senator, so I have the utmost respect for the position.

The CHAIRMAN. I appreciate that.

Senator Cardin, who is our chairman of our Asia-Pacific Subcommittee.

Senator CARDIN. Well, Mr. Chairman, you are absolutely right, it is an easy question, but when you start to hear the requests from Members of the United States Senate we hope that your respect will continue.

Thank you very much for being willing to step forward to continue in public service. We thank your entire family. As Senator Menendez said, this is a commitment of the entire family.

Vicki, it is great to see you. During my first term I was fortunate enough to have a seat on the United States Senate floor next to Senator Kennedy. It was a remarkable opportunity. What Senator Menendez said about your uncle is absolutely true. He was able to get through the partisan division here, standing up for principle and move the process forward. So we know that spirit is in your family and we thank you very much for your willingness to move forward.

Mr. Ambassador, it is great to see you here. You represent Japan very well in the United States, and we know that your presence here just underscores the importance of the relationship between Japan and the United States.

Congressman Crowley, I am glad we had a reason to get you over to the Senate side, but it is great to see you and thank you for being here.

We had a chance to talk and a lot of the issues we talked about have already been brought out. I want to mention one issue that I mentioned with Prime Minister Abe when I was in Tokyo this year. You mentioned protecting Americans. Recently Japan agreed to the Hague Convention in regards to child abduction cases. We are very appreciative of that, and the Diet's taken action to pass the necessary laws.

I have been told there is pending almost 400 cases involving Americans that will not come under the Hague Convention, but need to be resolved. I am aware of three of those cases involving Marylanders. As one of my first requests under your response to

the chairman, will you use your office, the best that we can, to help resolve these open cases?

Ms. KENNEDY. As a parent, I certainly understand the emotional aspects of this issue. I have met with the Bureau of Consular Affairs already and indicated to them my concern. I understand why these parents—I think it is a welcome sign that Japan has joined the Hague, and I hope that these cases that might not be covered can still be handled in the spirit of the Hague, and I think that everyone that I have talked to in Japan and in the State Department is really committed to making that happen and to working with the families to bring these issues forward and resolve these cases.

Senator CARDIN. Thank you. Thank you very much.

I want to follow up briefly on Senator Corker's point on maritime security issues. It is very true that Japan and China—there is tension in regards to the territorial claims to the islands. But it is also true there are many other countries involved in maritime security issues that threaten the free transport of commerce and that threatens major U.S. interests, that also could cause serious security issues. We have already seen some tension among other countries.

Will this be a priority of your mission, to further reduce the tension on the maritime issues so that we can maintain the type of policy that you said, peaceful resolution of these issues, directly negotiating through the parties, developing codes of conduct, that reduces the tension in the region?

Ms. KENNEDY. Yes. Also, I know that we spoke about the Helsinki Commission as being a sort of a model for perhaps countries working together in the region and multilaterally and exploring kind of a North Pacific dialogue that way. As you say, the code of conduct, the procedures for any kind of resolution of any kind of incidents, is something that I am committed to work through because it is in everyone's interests that those issues are resolved diplomatically.

Senator CARDIN. Thank you. We talked about—and I really do appreciate your understanding and commitment. We have many allies in the region, but two of our closest allies are Japan and the Republic of Korea. Yet the relationship between the Republic of Korea and Japan is not as strong as we would like to see it. I think your offices can help improve the relationship between two of our closest allies in the region, to the benefit of both countries and to regional security.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Cardin.

Senator Risch.

Senator RISCH. Thank you, Mr. Chairman.

Ms. Kennedy, welcome. I know you are looking forward to this and I hope and I have every confidence that you will bring the same warmth and good feeling to the people of Japan that Ambassador Sasae has brought here to America. He has done an outstanding job and I think you would do well to emulate that. I know you will make every effort to do that.

I want to talk about the East China Sea for just a moment. I would like to get your thoughts on why this controversy continues

to get worse instead of better. We of course have not adopted the Law of the Sea Treaty here in the United States, and indeed those of us that opposed it argued that we would be giving up certain sovereignty and not getting much for it. The proponents were telling us about what a great document this was and what a great protocol it was for resolving international disputes.

But it seems to me the East China Sea is a poster child for the lack of the ability of the treaty to resolve these kinds of things. Could you give me your thoughts on that, please?

Ms. KENNEDY. Well, I think those issues in the East China Sea are driven by the regional countries, but that means that the United States has an interest and an obligation to do everything we can to support and continue to support the peaceful resolution, to encourage dialogue between our allies and other countries in the region. I know the Senate resolution was helpful in that, but I think it is something that we are going to continue to have to work on.

Senator RISCH. I agree with everything that you have said. Would you agree with me that the Law of the Sea Treaty has done nothing to try to ameliorate the situation there in the East China Sea?

Ms. KENNEDY. Well, I would like to study that further before I speak specifically on that.

Senator RISCH. That is fair. I understand. That is fair.

I know you have been briefed on the importance of the Idaho National Laboratory, which is the home—it is the leading laboratory for nuclear energy in America. Of course, with the tragedy that occurred at Fukushima the INL is doing things as they examine what happened there and how plants can be built more safely around the world. I would only encourage you to take your knowledge in that regard to the Japanese people, to the Japanese Government, and underscore for them that we in Idaho want to be helpful in that regard and we have the expertise, and we are the lead laboratory on nuclear energy in America and indeed in the world. So I hope you will take that message when you go to Japan.

Ms. KENNEDY. Well, thank you, and I would love to learn more about the laboratory's work. I have heard already that they have been in a close partnership and have made their expertise available. So I would love to follow up on that with you.

Senator RISCH. They have that, and they are ready, willing, and able every time that there is an incident somewhere in the world to respond and to assist and to be helpful in seeing that these kinds of things do not happen in the future.

Thank you very much and thank you for your service.

Ms. KENNEDY. Thank you.

The CHAIRMAN. Thank you, Senator Risch.

If you could have opined on the Law of the Sea Treaty, we would not let you go to Japan. We would keep you here to help us.

I also want to recognize—we have more House Members than we normally ever have here—Congressman Kennedy for joining us as well. Thank you very much.

Senator Shaheen.

Senator SHAHEEN. Thank you, Mr. Chairman.

I think Ms. Kennedy's recognition that she should not weigh in to the Law of the Sea Treaty debate is a good indication about what a good diplomat she is going to be.

Let me welcome you. It is so nice to see you here——

Ms. KENNEDY. Thank you.

Senator SHAHEEN [continuing]. And nice to welcome your family, Ed and your children. Vicki, of course always nice to have you back in the Senate.

For some of my colleagues who may not know, I had the good fortune to have had a chance to work with you at the Institute of Politics as you chaired that board. I can reassure anyone who has any doubts that once you set your mind to doing something well, you do it. So I have every confidence that you will be a great Ambassador to Japan, and very much appreciate you and your family's willingness to take on this challenge at this time, when we are really looking at, as the President says, the refocus on the Asian-Pacific region.

I think the President's choice of you as the nominee for this post is an indication of his strong interest in maintaining the great relationship that the United States and Japan have had for so many years. So I look forward to seeing what you do in this role and to having a chance to work with you in that capacity.

I want to start by following up on Senator Risch's point about Fukushima and what has happened in Japan, and really ask you a two-part question. First of all, I think all of us in America looked with horror at the tragedy that happened in Japan with the tidal wave and the typhoon and then the tragedy at Fukushima. So I would ask you if you see a role for continued support for the United States as Japan continues to rebuild in those regions that were damaged by the tidal wave; and also to ask if you would look at ways to facilitate the lessons learned from what happened at Fukushima.

As Senator Risch said, we have some technology here that is important to share with Japan. But I think there are also lessons there that are important to share with our nuclear industry here, and for all of us who have nuclear plants in our States and our regions some of the lessons from Fukushima are ones that we think it is very important for the industry to look at and to see how to respond to.

Ms. KENNEDY. I think the United States military and then the Ambassador and the team at the Embassy did a wonderful job in assisting after the tragic triple disasters in Japan. I know that I, if confirmed, would benefit from the good will that their efforts have generated. So I am deeply aware of that and I will do everything I can to build upon those efforts and sustain them. I think there are a lot of opportunities for us to continue to promote exchange programs and other kinds of efforts, and I would certainly want to learn about whatever help the United States could provide.

As Senator Risch said, I met with the Department of Energy and I have heard that they have technology, they have expertise, and they are eager to assist in any way that they can. I think that across our government there is a sense that that incident had international implications and certainly it matters, and so we

would all do well to learn everything we could from that to benefit the world going forward in the nuclear area.

Senator SHAHEEN. Thank you.

As you know, this past March the United States renewed Japan's exemption from Iranian sanctions as a result of its reduction in oil imports. Despite the energy shortfalls following Fukushima, Japan has worked hard to reduce its Iranian oil imports. Is there more that we could expect from Japan on compliance with Iranian sanctions, and what should we look for from the country as we continue to see how sanctions can hopefully bring Iran to the table to look at negotiating on what is happening in Iran?

Ms. KENNEDY. I think in the context of Japan's energy challenges, their efforts have been significant in reducing their dependence on Iranian oil in their auto industry. I think they have indicated that they are going to continue to make efforts to reduce their connections. I know that they are our partner in many humanitarian and other efforts, and so hopefully all of those put together will help bring pressure on the Iranian regime.

Senator SHAHEEN. Thank you.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Shaheen.

Senator Flake.

Senator FLAKE. Thank you, Mr. Chairman.

Thank you for being here. I just want to thank you for your willingness to serve, and for your family and others who will sacrifice as well. You are going at an interesting time with the trade agreements that will be discussed and debated over the next while. These are extremely important, not just for our economies, but for those involved as well. Also the maritime issues that have been addressed and regional security issues with North Korea and other pressing issues. So I just think that you are going at a fascinating time and that you are very well suited to—that you are up for the challenges that are in your future.

So thank you for your willingness to serve.

Ms. KENNEDY. Thank you, and you have a lot of friends in Boston, fans.

Senator FLAKE. Thank you.

Ms. KENNEDY. Thank you.

The CHAIRMAN. Senator Barrasso.

Senator BARRASSO. Thank you very much, Mr. Chairman.

Again, congratulations. This is wonderful. Thank you for taking the time to visit with me last week to discuss the United States-Japan relationship. This ambassadorship to Japan is a very important position. As others have said, the United States and Japan have a very strong relationship. Our nations work closely together on issues impacting our shared interests, our shared values. I am very pleased to see that you are engaged on those issues and willing to serve our Nation in this critical region.

Although there are many topics to cover, from our security alliance to Japan's need for U.S. liquified natural gas, I want to focus my time on one of our significant U.S. exports that we have discussed, soda ash. As I mentioned to you previously, soda ash is an issue that your family has spoken about in the past. Actually, the day I got sworn in to the Senate your uncle Ted told me about his

time in Wyoming, talked about soda ash—"trona," it is also known—and he told me how he stood with the Wyoming delegation in 1960 at the nominating convention and it was Wyoming's 15 votes that put your father over the top to get the nomination.

I questioned it a bit, but actually got back and found a picture of Ted Kennedy standing with the Wyoming sign at the convention, and it is a great picture.

He also talked about his rodeo days in Wyoming, which is impressive.

Also, 50 years ago almost to the day, this coming week, 50 years ago, in 1963 President John Kennedy spoke at the University of Wyoming in Laramie and 13,000 people attended, a huge day. Mike Mansfield, who you mentioned, Mr. Chairman, Mike Mansfield, who was the longest serving Ambassador to Japan, was on the stage with President Kennedy, as was Secretary of Interior Stewart Udall, whose son Tom serves on this committee, all on the stage in Laramie. It was a memorable moment for many folks across my State.

At the event, President Kennedy talked about the need for ingenuity and scientific application of knowledge to develop new resources. Amazingly, he specifically mentioned soda ash in his remarks. People say he actually, using his Boston accent, called it "soda rash," and some people thought it was a skin condition for a while.

But he said—and I will quote from his speech. He said: "For example, soda ash is a multimillion dollar industry in this State. A few years ago there was no use for it." He said "It was wasted. People were unaware of it. And even if it had been sought," he said, "it could not be found, not because it wasn't there, but because effective prospecting techniques hadn't yet been developed." "Now," he said, "soda ash is a necessary ingredient in the production of glass, steel, and other products. As a result of a series of experiments, of a harnessing of science to the use of man, this great new industry has opened up." John Kennedy in Laramie 50 years ago this month.

The United States is the most competitive supplier of soda ash in the world due to the abundance of the raw material, trona, and it is in our country. U.S. natural soda ash is refined from the mineral trona. The Green River Basin in Wyoming has the world's largest known deposits. It is a key component, as we said, of glass, also detergent, soap, and chemicals. It is used in many other industrial purposes. It has long been regarded as the standard of quality.

Currently Japan has a 3.3-percent tariff, which is what we had discussed, on natural soda ash imports into Japan. So now we have formally joined—now Japan has formally joined the Trans-Pacific Partnership negotiations. Out of all the Trans-Pacific Partnership countries, Japan is the only country with a tariff on U.S. natural soda ash. It is important for the United States to work, I believe, to resolve this problem. Eliminating the tariff on naturally sourced soda ash would benefit Japanese manufacturers, who want it, and U.S. soda ash producers alike.

So my question is, As the negotiations on the Trans-Pacific Partnership continue, will you commit to me that you will advocate for the elimination of this tariff on natural soda ash imports?

Ms. KENNEDY. Well, I guess I would not be sitting here if it were not for the State of Wyoming, so I would definitely make that commitment. In fact, I did pass along your concerns to the USTR and they have indicated that soda ash will be an important issue in the upcoming negotiations. So I will let you know, and I look forward to working with you on this issue.

Senator BARRASSO. Thank you.

Also we had talked about beef, Wyoming's No. 1 cash crop, but also I know, Senator Risch, it is a big cash crop in Idaho, MT, the Rocky Mountain West. We are looking forward to pursuing every opportunity to eliminate trade barriers and increase exports to Japan for—actually, for all U.S. industry. So I appreciate your efforts.

We also had a chance to talk a bit about liquified natural gas, where we have an ability to export. I know, visiting with the Ambassador from Japan, they have great interest in importing liquified natural gas.

Ms. KENNEDY. In terms of beef, as you know, there has been a 43-percent increase in our sales to Japan recently this year. I think that hopefully they will continue to accept more high-quality U.S. beef.

Obviously, liquid natural gas—in fact, Senator Cardin, they have just approved a project, and so it is a win for both countries. So I look forward to working on that because it is of benefit to all of us.

Senator BARRASSO. Thank you very much and congratulations again.

Ms. KENNEDY. Thank you so much.

The CHAIRMAN. Thank you, Senator Barrasso.

I now know more about soda ash than I ever did in my career and I appreciate the edification.

Senator Kaine.

Senator KAINE. Thank you, Mr. Chair.

Ms. Kennedy, congratulations. This is an exciting, exciting hearing. I was struck during your opening comments at the poignancy not only of your personal story, but what it says about our two nations. Your father received the Congressional Medal of Honor for heroism displayed and injuries suffered in a war with Japan, and yet here you are about to achieve this wonderful diplomatic post, which is a tribute not just to you, but to the deep friendship between the two nations.

That does not happen by accident. That arc of enemies to friends does not happen by accident. It happens because of diplomacy. It happens because of the magnanimity of the Japanese people and the American people. And it is an interesting thing for us to think about, that we do not have to assume that hostilities are permanent. Who are we at odds with today or who any country is at odds with today does not mean that we need to be despairing about that we might not be wonderful allies in a few decades. And that is a really hopeful thing. There is a real element of hope and optimism

because of this hearing and your personal arc and the way that it connects the lives of our two nations.

Two questions I just wanted to ask quickly. I see enormous up sides in the United States-Japan relationship because of the rebalance to Asia and because of the specific status of the TPP negotiations. But I wonder, are there any potential downsides? Is there any concern in your dialogue with folks on the Japanese side thus far or your briefings, that there is a worry that a rebalance to Asia more generally or a TPP that encompasses multiple nations, is there a concern that it would sort of deemphasize the relationship, the strong relationship between the United States and Japan? And if there are those downsides, how could we continue to make sure that Japan knows how special this relationship is?

Ms. KENNEDY. Thank you, Senator, for reminding us all about the—I do think that I am conscious of the evolution of our relationship and how my family and my appointment is emblematic of that. It is something that I am very honored by.

I think from my conversations it seems that the United States and Japan are facing an important moment, but it is a moment that is full of promise. The Asia-Pacific region is the future in many ways. It is 40 percent of the world's trade. I think that with the political stability in Japan, there are many opportunities to strengthen this alliance, and hopefully I can contribute to that.

There are complexities as well, of course. But I think, as you said, there are so many people here in the United States willing to work to strengthen this alliance, as well as in Japan, so I am hopeful that whatever issues crop up, they can be worked through, as we have done so far.

Senator KAINE. Great, great. Thank you.

The last question. I think this was touched on when I was out of the room briefly, but just to connect a couple of dots, including the point that Senator Barrasso was just making. The Japanese continued purchase of oil from Iran—and there is an exemption that we have recognized—nevertheless is a troubling thing. We want to continue to do what we can. Even recent statements of President Rouhani, we are looking at those with interest. But to do what we can to make sure that Iran does not obtain nuclear weapons.

Japan's scale-down of purchases of Iranian oil, that is a notable thing. We think they could do more. Nevertheless, they have their own energy challenges, especially after Fukushima, that put some constraints on them. But there is a potential connection between their ability to go even further and this LNG issue, and I just wanted to bring that up.

I had a dialogue recently with another government official in another Asian country that does not need to be named. But I was really focusing upon this issue of how could we help you reduce your reliance on oil from Iran, and he came right back and said: Well, the main thing you could do is export liquid natural gas to us.

So the exportation of LNG has other issues. It connects to domestic pricing and things for natural gas here. Yet it is an important asset for us to contemplate, even in working with Japan, that the better we are in that the more they may be able to take additional

steps to reduce reliance upon Iranian oil and then help us with that important goal that we share of making sure Iran does not develop nuclear weapons.

So in the broader negotiation around these topics, I just wanted to put that on that table and encourage you in that regard.

Ms. KENNEDY. Thank you.

Senator Kaine. Thanks very much, Mr. Chair.

The CHAIRMAN. Thank you, Senator Kaine.

Senator McCain.

Senator MCCAIN. Thank you, Mr. Chairman.

I welcome our witness and family members and our beloved Vicki. I know that Ted is very proud today to have you here continuing a long family tradition of outstanding service to our Nation.

You and I had a discussion of several issues in my office. But I think it is important to reemphasize a couple of points. One is that tensions between Japan and China are higher than at any time since the end of World War II. The issue of the Senkaku Islands, although unknown to most Americans, is very high on the agenda of both Japan and China, and there have been incidents of significant tension in that region—movement of Chinese ships there and military presence.

The new Prime Minister, Abe, is now committed to a significant increase in defense spending on the part of Japan. A lot of that has to do with their concern about the aggressive behavior of China in the South China Sea.

I am sure you are aware of those tensions and I am wondering if you share my concern about this situation.

Ms. KENNEDY. I think it is a matter of grave concern. I think that, as we spoke about, the U.S. military and the Japan alliance is a cornerstone of peace and security in the region, and the United States is committed under article 5 of our security treaty to support Japan in the Senkakus. But overall our priority is for those disputes to be resolved through negotiation and diplomacy and for all parties in the region to seek to lower the tensions as much as possible.

Senator MCCAIN. You know that the United States position has been that we support Japanese management of the islands, but do not acknowledge the sovereignty. You agree with that policy?

Ms. KENNEDY. It is the longstanding policy of the United States, so that would be the policy that I would try to further.

Senator MCCAIN. As part of our view of the importance of the Asia-Pacific region, there has been an announcement a couple years ago by the administration that—at first they used the unfortunate word “pivot,” but “rebalancing” of our military to the Asia-Pacific region. One of the most important parts of that that we have been wrestling with for years in the Armed Services Committee in particular is the movement of U.S. Marines out of Okinawa.

It is a very volatile issue with the people of Okinawa. It has got to be accomplished. We have watched with great frustration time after time, expenditure of billions of dollars, and we still have not achieved the movement of the Marines out of Okinawa to a suitable replacement base. We know that some will go to Guam, some will go, envisioned to a new base that’s being built.

I hope you will give this issue a very high priority. One more incident in Okinawa and you will see a very serious reaction from the people of Okinawa, and they have to be assured that we are moving forward, making progress on this issue, which frankly in my view has been fraught with delays and expenditures, which is almost an embarrassment.

Ms. KENNEDY. I take that very seriously, Senator, your concerns, and thank you for expressing them to me in your office as well as here this morning. I look forward to learning as much as I can, to studying this issue very closely, and to working with you to move this forward.

Senator MCCAIN. Well, we look forward to visiting with you in Japan in the near future, at the taxpayers' expense.

Thank you for your willingness to serve.

Ms. KENNEDY. Thank you.

The CHAIRMAN. Senator Markey.

Senator MARKEY. Thank you, Mr. Chairman.

Massachusetts is very proud of you today. Your mother and father, your aunts and uncles, all of your family, inspired generations now of people to public service. I am one of those people. You are really the pluperfect embodiment of someone who has dedicated her life to helping other people. And your uncle Ted and Bobby, but every member of your family just really was very special in the lives of our country.

You are continuing that story, and I think it is important for the country to actually see you giving, asking not what your country can do for you, but what you can do for your country. And you are doing that here today. I think our country and all of us really appreciate your following in this tremendous tradition that your family represents, sitting proudly behind you here today.

I guess what I was wondering is, are there any personal priorities that you might have going to Japan? Is there anything that you might want to share with us that might be a part of something that you might want to accomplish during your time in Japan representing our country?

Ms. KENNEDY. Well, thank you, Senator Markey, and thank you for mentioning my family. I feel that I am the most fortunate to be part of such a supportive and inspiring extended family, and I am fortunate that not only is my immediate family here, but my cousin, Timmy, is here, who runs the Special Olympics, which my aunt started, and my cousin, Joe, who is following in his grandfather and his father's footsteps serving in government. So I am very honored and happy to have their support, and I hope that I can make them proud of me.

In terms of my own priorities, I think as a woman I do have opportunities in Japan to represent the United States and the progress that we have made here on some of those issues and the dialogue about what needs to be done, both here and there. So I am looking forward to learning more about those issues as they relate to Japan when I am there if I am confirmed.

Again, I think because of my background in education and because I have worked to engage young generations in civic engagement and dialogue and public service, I am hopeful that because President Abe, Prime Minister Abe, has made education exchanges

and education another cornerstone of his reform efforts, that I would have a positive role to play in encouraging those and facilitating exchanges between our young people and the young generation in Japan, so that this alliance can continue to be strong going forward and our leaders enjoy the same kinds of friendships and connections that they have until now.

Senator MARKEY. Ambassador Roos has lamented the decline in the number of Japanese students coming to the United States. Obviously, that is a big part of creating understanding between our two nations. So your focus on that is I think absolutely on the money. It is where we have to be.

Again, I just want to tell you how—

Ms. KENNEDY. Thank you.

Senator MARKEY [continuing]. Proud we are of you. I think your uncle Ted is really proud of you sitting here.

Ms. KENNEDY. Thank you.

Senator MARKEY. And I thank you for your service.

The CHAIRMAN. Seeing no other members, thank you very much for your answers before the committee. I think you have acquitted yourself very well.

Ms. KENNEDY. Thank you.

The CHAIRMAN. The record will remain open until the close of business on Friday for questions to the nominee. If the nominee receives any questions, we ask you to answer them expeditiously so that we can consider you at the next business meeting.

With that, you are excused at this time. Thank you very much.

Ms. KENNEDY. Thank you, Senator. Thank you for this hearing.

The CHAIRMAN. As Ms. Kennedy departs, I would like to call our second panel this morning.

[Pause.]

The CHAIRMAN. I am pleased to bring before the committee two of the Nation's most experienced career Foreign Service officers: Ambassador Anne Patterson, who is the nominee for Assistant Secretary of State for Near Eastern Affairs; and Gregory Starr, who is no stranger to this committee, as Assistant Secretary of State for Diplomatic Security.

Anne Patterson has spent the last 2 years serving as Ambassador to Egypt at a tumultuous and transitional time in Egypt's history, and I personally want to extend our thanks and appreciation for her service. She was in the eye of the storm as the winds of the Arab Spring began to blow across the region, and her expertise and experience served her well. She has a long record of service since the time she left her home in Arkansas and went to Wellesley. Her experience is exemplary of our Foreign Service officers, who put their lives at risk—often in places where an American presence is necessary but not always welcome.

I look forward to supporting her nomination, but I want to express several ongoing concerns in the region. As you know, Ambassador Patterson, the impact of sanctions on Iran has been significant. While I support a diplomatic solution to the crisis and hope that we can find such an opening with a newly elected government in Iran, at the end of the day we need a partner who comes to the table in good faith and with a real offer in hand and, more importantly than an offer, real actions. Until then it is my view we must

maintain and increase pressure on the regime in order to ensure the success that we want. I look forward to hearing your views on the situation in Iran.

I would also like to know your views on the next steps moving forward in Egypt to realize the promise we had hoped for from the events in Tahir Square in 2011, that has given way to an increasingly undemocratic and insecure environment for all Egyptians.

In Iraq, I have several concerns about our diplomatic relations following the drawdown of U.S. troops. I am also disturbed by Iraq's failure—and I want to underscore, Iraq's failure, from my perspective—to protect the MEK community at Camp Ashraf and Camp Liberty, which most recently resulted in 52 deaths and the kidnapping of seven individuals who remain hostages. I expect the Iraqis to hold the guilty parties responsible for their actions, and I also hold the Iraqis responsible for the security of those at Camp Liberty, and I hope that the administration will send the same message.

Finally, on the peace process, I support Secretary Kerry's efforts and believe that we must continue to keep the Palestinians at the table engaged in face to face negotiations with the Israelis. I applaud Israel's courage in agreeing to the release of prisoners at the outset of negotiations and hope the Palestinians will publicly commit to remain at the negotiating table and not pursue statehood or enhanced status through any international bodies while this effort is going along. It is only through the hard work of direct negotiations that we will be able to realize a durable and realistic peace.

You are no stranger to these complex issues. You are a decorated Foreign Service officer, and I will look forward to your service.

Let me turn to Greg Star, the nominee for Assistant Secretary of State for Diplomatic Security, who appeared before the committee this summer to testify on a bill cosponsored by Senator Corker and I and other members of the committee, the Chris Stevens-Sean Smith-Tyrone Woods, and Glen Doherty Embassy Security, Threat Mitigation, and Personnel Protection Act. You provided us with insights and benefits of many years in diplomatic security, as a special agent in the Foreign Service serving in Tunisia, Senegal, and the Democratic Republic of the Congo. You later served in the Secretary of State's security detail and technical security operations, as Chief of the Division for Worldwide Local Guard and Residential Security Programs, and as a senior regional security officer at our Embassy in Tel Aviv.

And now you are returning, coming out of retirement, to be considered for Assistant Secretary of State for Diplomatic Security at a time when we sorely need your experience and expertise.

Let me conclude by saying I have said in the past and will say again, the lessons we have learned from the tragedies in Nairobi, Dar es Salaam and Benghazi are emblematic of the broader issue we will increasingly face in the 21st century. It will require our full, unequivocal, unwavering commitment to fully protect our embassies and those who serve this Nation abroad, and that will be your charge as Assistant Secretary, to help strike the proper balance between sealing off vulnerabilities in high-threat areas and continuing to conduct vigorous and effective diplomacy that serves the national interest.

The fact is we can never have absolute security in an increasingly dangerous world. But security alone is not our objective. At the end of the day, we need to address both the construction of new embassies that meet security needs and we need to do what we can to secure existing high-risk posts where we need our people to represent our interests and where new construction is not an option. That is what Senator Corker and my embassy security bill seeks to do, and my hope is that we can look forward to the legislative process soon to achieve that.

So we look forward to hearing from you, Mr. Starr, about the progress we have made, what other challenges we may have, and how do we pursue it. Again, thank you both for your years of service.

I know Senator Corker had some original comments. I do not know if there is anything you wish to pursue?

Senator CORKER. No.

The CHAIRMAN. With that, Ambassador Patterson, we will welcome your statement. Both of your statements will be fully included in the record without objection, and the floor is yours.

STATEMENT OF HON. ANNE W. PATTERSON, OF VIRGINIA, TO BE ASSISTANT SECRETARY OF STATE FOR NEAR EASTERN AFFAIRS

Ambassador PATTERSON. Thank you, Mr. Chairman, Ranking Member Corker, members of the committee. It is an honor to appear before you today as the President's nominee for Assistant Secretary for Near Eastern Affairs.

Mr. Chairman, I would like to introduce, if I could, my husband David and my older son Edward and my daughter Lamin.

Mr. Chairman, I have prepared a longer statement for the committee which I submitted for the record.

I am grateful for the confidence shown by President Obama in nominating me for this position. If confirmed, I pledge to work with you to advance U.S. interests across an important and complex region that is facing historic upheaval.

Mr. Chairman, the changes taking place across the region carry the promise of a more democratic political order that will benefit the region and the United States in the long term. However, the region will remain volatile and often violent for some time to come. The challenges we face are complex, but our extensive security, economic, and humanitarian interests demand our continued engagement. The region has changed in the past few years and there is no going back.

If confirmed, my top priority will be to protect our country and our allies. Doing so will require a vigorous effort to identify and disable Syria's chemical weapons. It will mean continuing to prevent Iran from developing a nuclear weapon. And we must continue to combat terrorism and confront violent extremism across the region.

Second, we will continue to promote sustainable democratic transitions. Let me stress again how hard this is going to be. The results of elections may not be to our liking, and transitions are often plagued by false starts and reverses. We will continue our efforts

to promote democracy and universal rights, and we will stand up for the rights of women, Christians, and other minorities.

Third, we need to support governments and the private sector to create economic opportunities and jobs. Many countries in the region need to fight corruption and cut subsidies to spur investment and growth. Our global economic leadership and our assistance programs both can play a role. And we must press for open business and trade environments so American businesses have fair access to growing markets.

Fourth, Mr. Chairman, mindful that our country has lost 6,757 men and women in Iraq and Afghanistan, I would focus on coping with the enormous sacrifices that our colleagues in the State Department, in the international community, and other civilian agencies are making, supporting these professionals and their families as we continue to ask more of them. People working in this region have been deeply and disproportionately affected by evacuations, lengthy separations from families, and the sheer workload associated with living and working on the critical front lines of American diplomacy.

Mr. Chairman, protecting our country requires us to practice diplomacy in dangerous places. Our people understand this. Accepting calculated risks is part of what it means to be an American diplomat today. Our Bureau will work closely together with our Ambassadors, with Mr. Starr if confirmed, and our Diplomatic Security colleagues, and with all other elements of government to protect Americans overseas.

I understand fully the responsibilities arising from the attack on our mission in Benghazi that resulted in the murders of four of our colleagues. If confirmed, I will work to fulfill our obligation to bring the perpetrators of that attack to justice.

Allow me to briefly review some of your key concerns. Mr. Chairman, I know that the Secretary of State has briefed you on Syria and the negotiations under way at the United Nations and in The Hague. I will simply reiterate his point that there can be no room for anything less than full compliance with our consistent goal of deterring and degrading Syria's ability to use these weapons in the future. The threat of unilateral use of force by the United States remains on the table should Syria not comply.

Mr. Chairman, I have just completed 2 years as Ambassador to Egypt, an extraordinarily important country for the national security interests of the United States that deserves our continued partnership and support. Mohammed Morsy was elected as President of Egypt in elections that were free and fair, even though the complex constitutional and legal process that produced these elections managed to confuse and upset nearly everyone. His removal from office on July 3 followed an extended series of political miscalculations and an inability to create an inclusive democratic process.

In the end, Egyptians will be the ones to determine whether that action was correct. We have made our concerns about this method of government change and about the violence used against unarmed protesters abundantly clear. Our response to the situation in Egypt will be consistent with U.S. laws, our national interest, and our values.

At the President's direction, we have undertaken a major review of our economic and our military assistance program. As Egypt changes, so too must our bilateral relationship. If confirmed, I will continue to urge the Egyptian government to move toward an inclusive civilian-led transition that guarantees universal rights for all citizens, including women and Christians. I look forward to working with the Congress to assure that we have the flexibility to respond to and influence changing events.

Mr. Chairman, the United States is fully committed to helping Israel and the Palestinians negotiate a final status resolution to their conflict. We are also fully and deeply committed to Israel's security. Our security cooperation has in fact never been closer. Israel is our close friend and the region's only stable democracy. The United States also continues to assist the Palestinians as they build governing institutions.

As we mark 35 years since the Camp David Accords this week, the search for Middle East peace remains at the very heart of U.S. national security interests. Secretary Kerry has worked very hard for the resumption of negotiations, which has required courageous leadership by Prime Minister Netanyahu and President Abbas.

Mr. Chairman, Iran is the world's foremost state sponsor of terrorism, including in Iraq, Syria, and Lebanon. It continues to defy the international community by pursuing nuclear activity in violation of its international obligations. The United States will not allow Iran to acquire nuclear weapons.

Thanks to the indispensable role played by Congress and with international support, we have put in place an unprecedented sanctions regime against Iran. Mr. Chairman, I would like to acknowledge the efforts you played in this effort along with other members of this committee. Sanctions have hurt Iran's economy badly. The people of Iran have voted for change in the recent election of President Hassan Rouhani, who has demonstrated a markedly different tone from his predecessors. But to make progress, we need to see concrete actions.

Mr. Chairman, if confirmed I pledge to work with you to assure that the resources and tools you provided our Bureau are supporting activities that advance our top national interests.

Thank you, Mr. Chairman.

[The prepared statement of Ambassador Patterson follows:]

PREPARED STATEMENT OF ANNE W. PATTERSON

Thank you, Mr. Chairman, Ranking Member Corker and members of the committee. It is an honor to appear before you as the President's nominee for the Assistant Secretary for Near Eastern Affairs.

I am grateful for the confidence shown by President Obama in nominating me for this position. If confirmed, I pledge to work with you to protect and advance U.S. interests across an exceedingly important and complex region, facing historic upheaval.

I am also pleased to appear before you today with Greg Starr, whom the President has nominated to be Assistant Secretary for Diplomatic Security. I have known Mr. Starr for some time and look forward to working closely with him on the important task of protecting U.S. personnel, facilities and interests in the region.

A Long Transformation Underway

Mr. Chairman, despite the tremendous challenges it faces, I believe that the historic political and social transformations taking place across the region carry the promise of a more democratic, more tolerant, and more vibrant political order that ultimately will benefit both the region and the United States. However, I anticipate

that the region will remain volatile, unpredictable, and often violent for some time to come. We face complex and difficult challenges, but our extensive security, economic and humanitarian interests demand our continued involvement and active engagement.

There are some fundamental trends underway that will set the context for U.S. diplomacy. Sixty percent of the population in this region is under 25 and nearly 45 percent of young people in the Arab world are unemployed. The three most populous Arab countries, Egypt, Algeria, and Morocco, have median ages of 20, 20, and 21, respectively. The region's rapidly growing, youthful populations lack confidence in rigid and unresponsive leaders who are unwilling or unable to address their aspirations for a better life and a greater say in their own decision making.

Shockingly, across the region, statistics indicate that unemployment levels rise with the level of education, leading to deep frustration with educational systems that fail to prepare its graduates for the modern labor force. National economies are hobbled by inefficiency and corruption, unable to provide jobs. In many countries, young people and their families invest enormous resources in what turn out to be poor university educations, and are deeply disappointed when they cannot find jobs or are not properly trained for the labor market. The situation is even more dire for young women.

At the same time, in addition to more traditional forms of street protest, these young people have been empowered by new technologies to communicate and share information in unprecedented ways—and they are not shy about expressing their anger and frustration. They reject the tired and transparent excuses and efforts by authorities to avoid responsibility for their poor performances—and they thirst for leadership and solutions, even as they watch the wintering of state institutions meant to protect citizens' personal and economic security.

What will come next is uncertain, but the region's political and social trajectory has been broadly and irrevocably changed by the events of the last 2½ years. Mr. Chairman, as one of your colleagues pointed out to me in Cairo, we Americans can never go back to looking at the region in the same way as we did before.

These inherent uncertainties will also pose security, diplomatic, and economic challenges to the United States, to our allies, and to the people of the region. With both our important national security interests and our values in mind, we have much work to do to protect our interests and to help the people of the region build peace and economic prosperity.

Our Priorities

If confirmed, Mr. Chairman, my top priority will be to protect our country and our allies. This will require a vigorous effort under international auspices to identify and disable Syria's chemical weapons capability. It will also mean continuing to prevent Iran from developing a nuclear weapon.

The United States must continue to do everything we can to combat terrorism and confront violent extremism. Currently, we are seeing renewed efforts by Al Qaeda in Iraq to undermine that country and an influx of foreign fighters to the Syrian civil war from other countries in the region. Such breakdowns in security in the region have allowed the growth of regional militias, threatening legitimate governments and becoming breeding grounds for extremism. The United States needs to work with the region's leaders and its national military forces to extend counterterrorism cooperation and training for law enforcement charged with providing security for their citizens.

Second, we need to continue to promote sustainable democratic transitions in the region. Let me stress again how hard this is going to be: the results of elections may not be to our liking and transitions are often plagued by false starts and reverses. Islamist and populist political parties that do not share our values can be effective in mobilizing voters. In the face of such challenges, we need to remain patient and firmly engaged in our efforts to promote democracy. Free and fair elections based on inclusive politics, effective governance, and respect for universal human rights, including freedom of expression and freedom of association, are key elements of any country's long-term stability. And we will need to stand up for the rights of women, and ethnic and religious minorities, including Christians. The broadening of political participation is a key demand of people in these changing societies; it is also a prerequisite for successful democratic governance.

I reject the view expressed by some in the region that their countries are "not ready" for democracy, that the low levels of education and high levels of poverty assure that voters will be easily led astray, or that only a traditional strongman can control these fragmented societies. If this were true, future generations in the region would be doomed to live under autocrats and dictators. Our role, and the role of the

international community, will be to assist these countries in building more democratic and tolerant societies.

Third, we need to support the private sector and governments in the region to help create economic opportunities. The region needs to create as many as 80 million new jobs by 2020 just to meet the needs of its growing population, a staggering number since the Arab world's current labor force stands at about 100 million people. The United States is uniquely positioned to help the region address its economic challenges. Many countries in the region need to fight corruption and undertake economic reforms to end subsidies that constrain investment and growth. In my view, U.S. economic assistance is only one facet of our influence. Assistance does provide tools for the United States to encourage and support reforms in needed areas, like higher education, economic growth or the reform of security forces. But our global economic leadership and the power of our economy are equally important. We also need to work with governments to assure open business and trade environments that promote sustainable growth and enable American businesses to have fair access to growing markets. Everyone will benefit because American businesses are respected in the region for training their people in global business skills and promoting employees on the basis of merit—and because much of our own business growth is projected to come from growth in overseas markets. A few months ago, Mr. Chairman, your Subcommittee on African Affairs issued a report outlining concrete steps the United States could take to both improve standards of living in sub-Saharan Africa and to lock American businesses into primary roles in these fast growing markets. I hope we can collaborate on a similar study for the Middle East.

And fourth, Mr. Chairman, mindful that our country has lost 6,757 service men and women in Iraq and Afghanistan, I also would focus on coping with the enormous sacrifices that my colleagues in the State Department, in the intelligence community, and in other civilian agencies must make and are making—and supporting these professionals and their families as we continue to ask more of them. People in the Bureau of Near Eastern Affairs have been deeply and disproportionately affected by evacuations, lengthy separations from families, and just the sheer workload of living in or working with posts that are understaffed and always on the critical front lines of America diplomacy. A large number of our personnel have served tours of duty without their families at high security threat posts—some of them several times—as the number of such posts has expanded beyond Iraq and Afghanistan to Libya, Yemen, Lebanon, Tunisia, and Egypt.

Mr. Chairman, if confirmed, I will be asking our people to serve in these and other countries, continuing the hard work of outreach and engagement on behalf of the United States. Protecting our country requires us to practice diplomacy in dangerous places. Our people understand this—accepting calculated risks is part of what it means to be an American diplomat today. Our Bureau will work together closely with our Ambassadors and with our Diplomatic Security colleagues to do everything we can to protect Americans overseas. We will maintain open channels of communication on security matters within the Department, with the intelligence community and with the Defense Department.

I would like to review with you the broad scope of American interests that involve the Bureau of Near Eastern Affairs. We cannot cover them all here, but I hope it will inform our discussions in the months ahead.

Syria, Lebanon, and Jordan

The current crisis in Syria underscores the challenges we face. The authoritarianism and brutality of the Asad family toward the Syrian people has been unrelenting; the regime has maintained itself in power through fear and the pitting of one group against the other. It has also systematically manipulated and destabilized Lebanon through its partnership with Iran and its support for Hezbollah. As change swept the region over the past 2½ years, the Syrian regime has tried to maintain its power by waging war on its own people. The U.N. estimates that over 100,000 Syrians have been killed, 2 million people have become refugees and millions more have been displaced internally due to the conflict.

The prolonged Syrian crisis has attracted extremists from across the region. The regime has recruited Hezbollah fighters from Lebanon to support them in battle. Meanwhile, terrorist groups linked to al-Qaeda have worked to gain a foothold in Syria and expand their influence among elements of the Syrian opposition. The regime has violated Lebanon's sovereignty with shelling and airstrikes. On August 21, the Syrian regime again brutally and indiscriminately used chemical weapons in attacks against its own people that killed more than 1,400 civilians. The recent framework whereby we would work with Russia to transfer the regime's chemical weapons program to international control and implement its rapid elimination will require Syria to promptly declare their holdings and cooperate in steps to eliminate

them. The world will now expect Russia to hold the Asad regime accountable for its public commitments. There can be no room for anything less than full compliance with international efforts to dismantle the Syrian chemical weapons (CW) program. Clearly, the threat of unilateral use of force by the United States played a key role in propelling the Asad regime to finally acknowledge its CW program and declare its willingness to accede to the Chemical Weapons Convention (CWC). If these efforts fail, the President has made clear that he remains willing to act.

Moving forward, we continue to believe that there is no military solution to the Syrian crisis, which should be resolved via negotiations based on the framework outlined in the June 2012 Geneva Communiqué. The United States remains in close contact with the moderate Syrian opposition about next steps. Along with our international partners, we continue to support the moderate Syrian opposition as they work toward a democratic and unified Syria that respects the universal human rights of all its citizens. Mr. Chairman, I know that members of this committee are not satisfied with the speed of delivery of equipment to the Syrian opposition or with the level and speed of humanitarian assistance to neighboring countries. Many of you have visited Syrian refugee camps in Turkey and Jordan. The United States is providing over \$1 billion in humanitarian assistance to respond to the crisis within Syria and in neighboring countries. We are also providing \$250 million in non-lethal transition assistance to the Syrian opposition, including items requested by the Syrian Military Council. Mr. Chairman, if confirmed, I will work closely with your committee on these issues.

From its base in Lebanon, Hezbollah has fully entered the Syrian civil war on the side of the Asad regime, which has long provided it with support and a reliable connection to its Iranian financial and military support. Hezbollah seeks to involve the Lebanese people in a foreign war against their will, with no concern for the destabilizing effects on Lebanon.

The United States supports Lebanon's sovereignty, independence, national unity, and territorial integrity. We support efforts by responsible Lebanese leaders to promote democratic practices and institutions that foster Lebanon's true national interests. That is why we will continue to support the Lebanese Armed Forces and Internal Security Forces with whom we work to confront the threats of terrorism and instability. We appreciate Congress' support for these important programs. We will also continue to support Lebanon and its people as they cope with the burden of assisting the nearly 730,000 Syrians and 45,000 Palestinians from Syria who have sought refuge there.

The Syrian civil war has also created severe challenges for Jordan, a key ally and partner with whom we work on important U.S. interests in the region, including Middle East peace, helping reintegrate Iraq into the Arab world, countering violent extremism and managing the Syrian refugee crisis. Politically, economically, and on humanitarian grounds, the United States must continue to demonstrate a strong commitment to Jordan and its long-term stability.

King Abdullah II's efforts to implement political reforms in Jordan underscore his leadership in seeking a better future for the Jordanian people. Moving forward with these reforms is vital to Jordan's security, stability, democratic development and economic prosperity. The U.S. continues to support Jordan with bilateral assistance—as well as loan guarantees and IMF loans—that place special emphasis on reform and growth. In the past 2 years, we have provided Jordan with significant additional assistance to ease the burden of hosting over 520,000 refugees from Syria. We appreciate the support Congress has shown for this key ally.

Egypt

I have just completed 2 years as Ambassador in Egypt, the most populous Arab country and a bellwether for trends across the region. Simply put: what happens in Egypt matters far beyond its borders. I remain convinced that Egypt is an extraordinarily important country for the national security interests of the United States—it is a country that deserves our continued partnership and support.

Mohamed Morsy was elected as President of Egypt in elections that were free and fair, even though the complex constitutional and legal process that produced those elections managed to confuse and upset nearly everyone. The Muslim Brotherhood's Freedom and Justice Party and Salafist and other Islamist parties won widespread support across Egypt, in part, because Egyptians hoped to see an end to the corruption and mismanagement of the Mubarak regime and also because other political parties were poorly organized.

During his 1 year in office, President Morsy, who entered office promising to be a President for all Egyptians, managed to anger and disappoint many people. His removal on July 3 followed a series of political miscalculations and an inability to sustain national consensus. Demands for his removal regrettably were not tested by

an electoral process, yet in the end Egyptians will be the ones to determine whether that action was correct. The United States stands for democracy. And we have made our concerns about this method of government change and about the violence used against unarmed protesters abundantly clear. But it is also clear that many Egyptians seek security and stability after the recent tumultuous period.

The interim government has announced a roadmap to seat a democratically elected civilian government. The roadmap includes a constitutional amendment process culminating in a national referendum. The failure of the Morsy government to create an inclusive democratic process in Egypt was a mistake that other governments—including the current interim Egyptian Government—must avoid. The guarantee of universal rights for all citizens, the inclusion of ethnic and religious minorities, including Christians, and the empowerment of women is the government's duty. Egypt needs inclusive processes to amend the constitution and to conduct parliamentary elections if it is to stabilize the situation and place the country on a sound political and economic footing.

The United States believes that only Egyptians can decide the future direction for their nation. As long-time friends and partners of the Egyptian people we will do our best to support them as they seek to stabilize their nation and reignite their economy. Since July 3, the President, Secretary Kerry, and Secretary Hagel have all clearly affirmed our support for Egypt's transition to that stable, democratic and prosperous future. Members of this committee have also helped to reinforce this message. Senators McCain and Graham, well-known friends of Egypt, provided the Egyptian leadership with frank advice about America's expectations for the future.

Moving forward, our response to the situation in Egypt will be consistent with our laws, our national interests and our values. Over the past weeks, at the President's direction, we have undertaken a major review of our economic and our military assistance programs. As Egypt changes, so too must our bilateral relationship evolve. As we consider how to best recalibrate our assistance, we must take account all of the events that have taken place in Egypt, including the last 2 months. The President is currently reviewing how we will proceed, consistent with the law. If confirmed, I will continue to urge the Egyptian Government to move expeditiously toward an inclusive, civilian-led, democratic transition and I look forward to working with the Congress to assure that we have the flexibility to respond to and influence changing events.

The Search for Middle East Peace

The United States is fully committed to helping Israel and the Palestinians negotiate a final status resolution to their conflict. As the President and Secretary have repeatedly stated, the U.S. is fully and deeply committed to Israel's security. Israel is our close friend and the region's only stable democracy; our security cooperation has never been closer. Meanwhile, the United States continues to assist the Palestinians as they build governing institutions. This week marks 35 years since the Camp David accords between Israel and Egypt, shepherded by the United States, lifted hopes for a permanent end to the Middle East conflict. The search for Middle East peace remains a diplomatic challenge that is also at the very heart of U.S. national security interests; it affects all of our relationships in the region.

To his great credit, Secretary Kerry has devoted many hours and many trips to the region in an extraordinary effort to make possible the resumption of Israeli-Palestinian negotiations. The resumption has taken courageous leadership by Prime Minister Netanyahu and President Abbas. We all know that this is a complicated process that will require difficult choices for both Israelis and Palestinians as they work toward reasonable compromises on tough issues with our support. Consistent with the Secretary's view that the negotiators not be restricted in their search for peace by public comment or release of details of proposals on the table, I will not go into the details of those talks in public. The Bureau of Near Eastern Affairs and our posts in the region will support Secretary Kerry in every aspect of this very important mission. Everyone knows that this will not be easy, but the goal of a two state solution, with Israelis and Palestinians living side-by-side in peace and with secure borders is at the center of American national interests in the region and beyond.

Iraq

The United States has made enormous investments and sacrifices in Iraq, including the 4,489 lives lost and 32,230 wounded during Operation Iraqi Freedom and Operation New Dawn. The United States military departed Iraq in 2011, with Saddam Hussein gone and an elected government in his place.

Over the past decade, we have come to better understand Iraq as a country with many diverse ethnic and religious tensions and which, freed from the despotism

regime of Saddam Hussein, has struggled to find its balance. The United States must support Iraq's efforts to build a unified and stable democratic nation. We are conducting a great deal of our engagement with Iraq under the Strategic Framework Agreement. The U.S. will continue to support the increased production and export of Iraq's energy resources, because they are so very important for Iraq's economy—and the global economy.

Regrettably, al-Qaeda in Iraq continues to threaten the Iraqi Government's efforts to establish a stable government and economy with violent acts, such as vehicle and suicide bombings. It is also seeking to rekindle a cycle of sectarian violence that in the past did so much to damage relations between Iraqis. We are urging Prime Minister Maliki and all Iraqi leaders to unite and fortify the country politically against extremist trends from any group or community. We continue to provide advice to Iraqi Forces on counterterrorism issues. I share the concern of members of this committee about the situation in Iraq and, if confirmed, look forward to consulting closely on this matter.

U.S. diplomacy supports Iraq as it seeks to remain independent of regional disputes and to integrate itself in the global economy, efforts in keeping with our regional interests. This work has produced important results, and we welcomed this year Iraq's renewal of relations with Kuwait after decades of war and enmity. Iraq has been conducting a series of provincial council elections—and it will face national elections in the first quarter of 2014, elections that will be a truly pivotal moment for the future of Iraq's democracy.

Iran

The Government of Iran has for many years been the world's foremost state sponsor of international terrorism—including in Iraq, Syria, and Lebanon—and it continues to defy the international community by pursuing nuclear activity in violation of its international obligations.

The United States will not allow Iran to acquire nuclear weapons. Thanks to the indispensable role played by Congress, and with international support, we have put in place an unprecedented sanctions regime against Iran to impede its progress in prohibited nuclear activities, as well as to persuade Tehran to address the international community's concerns about its nuclear program. I would like to acknowledge the efforts you have played in this effort, Mr. Chairman, as well as the efforts of other members of the committee. Acting both through the United Nations Security Council and regional or national authorities, the United States and our partners have put in place the strongest sanctions measures in history relating to Iran's nuclear, missile, energy, shipping, transportation, and financial sectors. Those sanctions have had a serious negative impact on Iran's economy. The people of Iran, frustrated with their government's aggressive foreign policy and straining under the effects of economic sanctions, voted for change in the recent election of President Hassan Rouhani.

President Rouhani has demonstrated a markedly different tone than his predecessor and we note he has used conciliatory language since his election. However, we have made it clear that we need to see concrete actions to address the international community's concerns about Iran's nuclear program. The Iranian Government has an opportunity to reduce its isolation by resolving these concerns. The United States and our international partners remain committed to a dual track approach of pressure and engagement to prevent Iran from acquiring a nuclear weapon—and we are prepared to meet with Iran as soon as possible on the matter through the P5+1.

Iran has a rich history and talented people—it is a country which could be making important contributions to the global community. Should the Iranian Government choose to engage substantively and seriously to meet its international obligations and find a peaceful solution to this issue, the United States will be a willing partner.

The Arabian Peninsula

Over many decades, the United States has built deep and mutually beneficial relationships with the countries of the Arabian Peninsula. Generations of students from the region have studied in the United States, including rising leaders we will see assume positions of greater authority in the near future. We share common interests in confronting regional threats, including the proliferation of nuclear and chemical weapons, and in ensuring stable world markets in finance and energy. American businesses have developed thriving partnerships in these expanding economies, which had over 100 billion dollars' worth of trade with the United States in 2011.

While we do not always see precisely eye to eye on the many challenges facing the Middle East, we have established an unprecedented counterterrorism and security cooperation. This has been a significant priority for President Obama and Secretary Kerry and will be for me, as well. Our security relationships with the Gulf countries over the past 12 years have been vital to our military operations in the region, and will continue to be strategically critical as we together confront threats from Iran and regional instability stemming from the Asad regime's oppression of its people. Qatar hosts CENTCOM Forward Headquarters and U.S. Air Force Central Command operations at Al Udeid Air Base. Bahrain is a major non-NATO ally that hosts the U.S. Navy's Fifth Fleet. Kuwait is a major non-NATO ally that hosts the largest presence of U.S. forces in the region. The UAE and Oman have been strong partners and made major contributions to regional peacekeeping security, and counterterrorism efforts.

Even as we work to strengthen the longstanding security and economic aspects of our relationships in the Gulf, we are facing new challenges. These societies have struggled over the past decades to cope with the rapid pace of modernization, population growth and the rising expectations of their young people. Our continued engagement with these countries, both government to government, and people to people, will be important in addressing key principles such as adherence to universal human rights, including equality for women and freedom of religion, as these processes continue to play out. While at times we have seen an impulse toward greater restrictions, there is a countervailing domestic pressure toward greater openness and to strengthen the bridges connecting these societies with the rest of the world. At least 77,000 Saudi students are pursuing higher education in the United States, even as King Abdullah has undertaken some initial steps toward social modernization such as improving the Kingdom's education and judicial establishments, advancing an interfaith dialogue, appointing women to the Consultative Council, and passing an antidomestic violence law.

After some early progress on reform following the Bahrain Government's 2011 response to domestic protests, the pace has slowed, particularly on accountability and freedom of expression. Bahrain's leadership needs to pursue a process of meaningful dialogue with the country's peaceful opposition that results in sustainable political reforms. The United States will support Bahrain as it undertakes these reforms and expands its commitment to the protection of citizens' universal human rights—changes that will enhance Bahrain's long-term stability. Across the region, we will continue to express our strong concerns over restrictions on religious freedom, freedom of expression and assembly, and women's issues. Our message is clear and consistent: the only way forward in responding to the demands of a new generation is increasing openness and adherence to universal human rights.

Finally, I would note that we have seen the Gulf Cooperation Council states come together and work effectively with us and other international partners in Yemen, one of the world's poorest and least-developed countries, which continues to face serious security challenges. Al Qaeda in the Arabian Peninsula remains one of the most significant terrorist threats to the United States, and it continues to exploit Yemen's weak governance to find safe haven and to project these threats outside of Yemen's borders. Under a Gulf Cooperation Council initiative, and with the help of the United States, Yemen's Government has defied enormous odds to move from the protests that brought about an end to the three decade rule of President Ali Abdullah Saleh to a relatively peaceful and well-defined transition under the leadership of President Abd Rabbuh Mansur Hadi. The United States has provided significant assistance to Yemen's transition. Ultimately, Yemen's successful transition is a key underpinning of long term stability and security in the region, and the United States will continue work with the GCC and other international partners to support Yemen's ongoing transition.

North Africa

More than 2 years after its revolution, Libya continues to contend with the serious challenges resulting from Qadhafi's dictatorial rule, including the need to rebuild almost from scratch security forces and weak institutions, porous borders and loose weapons, and to root out militia groups and terrorists. There has been political progress: Libya held its first free and fair elections in over 40 years just over a year ago and continues taking the steps necessary to draft a new constitution. Yet recent political unrest has sharply reduced Libya's oil and gas exports, demonstrating how difficult and fragile this transition is.

There is tremendous goodwill toward the United States and a strong desire on the part of Libyans to reengage with the West after decades of Qadhafi-imposed isolation. The United States has a strategic opportunity to forge a strong and mutually beneficial relationship with Libya. Our limited, targeted technical assistance to help

Libya build the capacity to address issues of concern for our own national interests has been a welcomed part of this reengagement. We have had a good working relationship with Prime Minister Ali Zeidan and his government, and I look forward to discussing ways in which we can work together to advance Libya's democratic reforms and help it address its security concerns.

Mr. Chairman, we understand fully the responsibilities arising from the attack on our special mission facilities in Benghazi a year ago that resulted in the murders of four of our colleagues. If confirmed, I will work closely with the Justice Department and Libyan authorities to bring the perpetrators of that attack to justice.

Tunisia and the United States share over 200 years of history, resulting in rich cultural, economic, and security ties. Tunisia's January 2011 revolution, which initiated the "Arab Awakening," marked the beginning of a new phase of cooperation between our two countries. Tunisia continues to make progress in its democratic transition and has made major progress in efforts to draft a new constitution. Over the last 2 years, the United States has committed more than \$350 million in assistance to Tunisia to support its democratic transition, economic stabilization and growth, as well as its efforts to enhance security in the country and along its borders. I look forward to improving and deepening our security cooperation with Tunisia, to include urging the Government of Tunisia to bring to justice the perpetrators of the September 14, 2012, attack on our Embassy and the American school.

Algeria and the United States have built a strong bilateral relationship, with a focus on our shared interest in battling terrorism and violent extremism. Algeria's experience fighting an Islamist insurgency during the 1990s resulted in a well-equipped and battle-hardened military that constitutes one of the strongest counter-terror forces in the region. We hope Algeria will continue to assume a greater regional leadership role to help stabilize neighboring states, which are also struggling with the presence of terrorists, loose weapons, and porous borders. We are working to expand our trade relationship with Algeria and will continue to support efforts to make room for civil society and to implement other political reforms en route to Presidential elections next year.

After more than 235 years of friendship, the U.S. and Morocco continue to enjoy a strong bilateral relationship, with shared interests in promoting regional stability, countering violent extremism, and strengthening trade and cultural ties. In recent years, King Mohammed VI has initiated reforms to strengthen the role of Parliament, rule of law, and human rights. Morocco remains a key partner to the United States on regional security and counterterrorism issues. Since 2006 the United States and Morocco have had a bilateral Free Trade Agreement, which has increased bilateral trade by 244 percent. During its current term on the U.N. Security Council, Morocco has played an important role in international efforts to end the Syrian civil war.

Focused on our Highest Priorities

Mr. Chairman and members of the committee, I am well aware that we are facing a period of difficult budgets and many competing priorities. However, we have a responsibility to protect our national interests, so many of which are tied to the Middle East and north Africa. The popular ferment, reform efforts and the transitions underway across the region highlight the need for the Bureau of Near Eastern Affairs to have a well-resourced and flexible platform from which to conduct our diplomacy—with an up-to-date, secure infrastructure. Our diplomatic and consular posts are being asked to do more and must have the State Operations and Diplomatic Security resources to meet our diplomatic challenges. In my view, it is critical that our posts in the region be able to build new relationships now, in this time of unsettled transitions, in order to set the tone and direction for America's partnerships in the region for decades to come. In spite of the immense challenges, now is not the time to withdraw from the region. Instead, we must refocus our efforts in support of the many American strategic interests in the region.

If confirmed, I pledge to work with you to assure that the resources and tools you provide our Bureau are being directed to our highest priorities and are supporting activities that advance our top national security and economic interests. Under the President's leadership, I pledge to work with you to build a principled structure on which the United States can deepen our ties with the region, and to ensure that we continue to have the will, the trust, and the capability to advance our shared security and prosperity and to meet our many global challenges together.

The CHAIRMAN. Thank you, Ambassador.
Mr. Starr.

**STATEMENT OF GREGORY B. STARR, OF VIRGINIA, TO BE
ASSISTANT SECRETARY OF STATE FOR DIPLOMATIC SECURITY**

Mr. STARR. Mr. Chairman, Ranking Member Corker, members of the committee, I too am honored to appear before you today. I would like to thank the committee for your continued support and the interest in the Bureau of Diplomatic Security Programs in protecting American diplomats abroad. This support enables Diplomatic Security, also known as "DS," to safeguard American diplomats and facilities for the conduct of U.S. foreign policy, while maintaining our robust investigative programs which serve to protect the United States borders and our presence overseas.

As the President's nominee to become Assistant Secretary at the Bureau of Diplomatic Security, I am thankful to the President and Secretary Kerry for the confidence that they have placed in me to lead Diplomatic Security during these difficult and demanding times.

I have been a security professional for more than 30 years. My experience both within the Department and outside government has prepared me to take on the challenges of leading Diplomatic Security in the future.

The world is changing and so is the way in which diplomacy is conducted. Therefore the way in which we provide security for our diplomats must change with it. We can never truly eliminate all risks faced by the U.S. Government personnel as they advance our national interests abroad. We in the Department constantly review evolving threats and seek to mitigate risk as much as possible.

The challenges we have faced in the previous decade, over the previous year in particular, have been significant and growing. Increasingly, our people are called upon to live and work in difficult and dangerous environments. We operate in these environments out of necessity because that is where we must be to serve our Nation's interests. I have learned that we cannot shut ourselves inside embassies, embrace a zero risk posture, and forgo the work of helping build the rule of law and strengthen democratic institutions abroad. It is in just these countries where it is toughest to serve where American diplomacy pays the greatest dividends.

This is the face of American diplomacy today and it is my job and the job of Diplomatic Security to keep our people safe while still allowing the important work to continue.

As a senior leader within Diplomatic Security, I can tell you that we are looking toward the next challenges and threats. We must continue to embrace change across the spectrum of security requirements. If confirmed, I plan to focus on three broad priorities. Those are: staffing and resources; improving coordination among our investigative elements; and continuing to improve our physical security protections for U.S. personnel serving overseas.

In terms of staffing and resources, I want to ensure that we have qualified people with sufficient training and the right resources at our posts overseas in order to respond to each post's unique security environment; and we improve the training of our foreign affairs colleagues by expanding our foreign affairs counterthreat courses.

On the investigative side of Diplomatic Security, I will continue to ensure that our criminal investigators, background investigators, and cyber security personnel are working closely together, as well as with other Department offices. Under my leadership we have improved our coordination both within the Department and with our interagency partners in the Department of Defense and the international community.

Finally, we will continue to work closely with our partners in the Bureau of Overseas Buildings Operations and regional bureaus to provide safe, secure, and functional embassies and consulates that represent the United States abroad.

In conclusion, I want to assure this committee that we in DS realize that our work in securing our posts and protecting our people will never be done. We take great pride in our accomplishments, but we are focused on the future. If confirmed, I pledge that through my leadership everyone in DS will understand that they must lead by example, properly delegate authority, and be committed to continually improving how we deliver security to our constituents and achieve our global mission.

Having said that, I want to be clear that I believe that responsibility for the provision of security lies with the Assistant Secretary of Diplomatic Security, and if confirmed I am committed to shouldering that responsibility.

I will be glad to answer any questions you have. Thank you very much for allowing me to appear here.

[The prepared statement of Mr. Starr follows:]

PREPARED STATEMENT OF GREGORY B. STARR

Mr. Chairman, Ranking Member Corker, members of the committee, I am honored to appear before you today. I would like to thank the committee for your continued support and interest in the Bureau of Diplomatic Security's programs. This support enables Diplomatic Security, also known as DS, to safeguard American diplomats and facilities for the conduct of U.S. foreign policy, while maintaining our robust investigative programs which serve to protect the United States borders and our presence overseas. As the President's nominee to become the Assistant Secretary for the Bureau of Diplomatic Security, I am thankful to the President and Secretary Kerry for the confidence they have placed in me to lead DS during these difficult and demanding times.

I have been a security professional for over 30 years. My experience both within the Department and outside our government has prepared me to take on the challenges of leading DS into the future. The world is changing, and so is the way in which diplomacy is conducted; the way in which we provide security for our diplomats must change with it.

Although we can never truly eliminate all risks faced by U.S. Government personnel as they advance our national interests abroad, we in the Department constantly review evolving threats and seek to mitigate risk as much as possible. The challenges we have faced over the previous decade, and over the previous year in particular, have been significant and growing. Increasingly, our people are called upon to live and work in difficult and dangerous environments. We operate in these environments out of necessity, because that is where we must be to serve our Nation's interests. I have learned that we cannot shut ourselves inside our embassies, embracing a zero-risk posture, and forgo the work of helping build the rule of law and strengthen democratic institutions abroad. It is in just these countries where it is toughest to serve, where American diplomacy pays the greatest dividends. This is the face of American diplomacy today and it is my job, and the job of DS, to keep our people safe while still allowing this important work to continue.

As a senior leader within DS, I can tell you that we are looking toward the next challenges and threats. We must continue to embrace change across the spectrum of security requirements. If confirmed, I plan to focus on three broad priorities: staffing and resources, improving coordination among our investigative elements,

and continuing to improve our physical security protections for U.S. personnel serving overseas.

In terms of staffing and resources, I want to ensure that we have qualified people, with sufficient training, and the right resources at our posts overseas in order to respond to each post's unique security environment. We improved the training our foreign affairs colleagues receive by expanding our Foreign Affairs Counter-Threat (FACT) course. On the investigative side of DS, I will continue to ensure that our criminal investigators, background investigators, and cyber security personnel are working closely together, as well as with other Department offices. Under my leadership, we have improved our coordination both within the Department and with our interagency partners in the Department of Defense and the Intelligence Community. Finally, we will continue to work closely with our partners in the Bureau of Overseas Buildings Operations and Regional Bureaus to provide safe, secure, and functional embassies and consulates that represent the United States abroad.

In conclusion, I want to assure this committee that we in DS realize that our work in securing our posts and protecting our people will never be done. We take great pride in our accomplishments, but we are focused on the future. If confirmed, I pledge that through my leadership, everyone within DS will understand that they must lead by example, properly delegate authority, and be committed to continually improving how we deliver security to our constituents and achieve our global mission. Having said that, I want to be clear that I believe that responsibility for the provision of security lies with the Assistant Secretary of DS and if I am confirmed, I am committed to shouldering that responsibility.

The CHAIRMAN. Thank you very much. Thank you both for your statements.

Ambassador, thank you for an in-depth statement. I know that is partly as a response to issues that I raised, so let me explore one or two of them with you. Over the last 2 months we have had over a thousand people killed in Egypt. Hundreds have been arrested for their political allegiances. The Mubarak-era emergency law has been reinstated and just extended for another 2 months.

So I look at our efforts here and I see our canceling Bright Star exercises, I see our suspending the delivery of F-16s. And it has not, at least to me, indicated changing much of the behavior of the present leadership inside of the country. So what other leverage do we have here to get back on the track to ensure a civilian government, moving toward an inclusive Egypt? What are your views on conditioning or restructuring aid to Egypt in the current environment?

Ambassador PATTERSON. Thank you, Mr. Chairman. Let me say that certainly the incidents of the past few months, the killing of unarmed demonstrators and the reinstatement of emergency law, have been quite worrisome. But let me also point to a roadmap that the government has put forward, and we will do everything we possibly can to push them along that path of reinstating a civilian government.

But this does provide an opportunity to look at the assistance program in a new way. The President has instructed us to undertake a full-scale review of our assistance programs in Egypt and to look at ways to, at the very least, to modernize those to reflect the new realities, particularly in the military assistance package. That process is ongoing, Senator, so I cannot predict what the results will be. But it is an opportunity to look at things anew in our assistance relationship.

Senator, I might add that it is not just assistance that will, I think, encourage the government to resume a democratic path. Tourism has dried up, investment has dried up. We have not seen a great deal of disinvestment for the moment, but engagement with

the West is much more widespread than the assistance relationship. I think there are many in the Egyptian Government and certainly in the business community who appreciate that they need those ties and they need that revenue.

The CHAIRMAN. Well, I would appreciate and I hope you will take back to the Department that it would be good to engage with this committee as they evaluate what the new paradigm might be for assistance. I was one of those who argued strenuously, including on the floor of the Senate, against cutting all aid or freezing all aid to Egypt. But I have to be honest with you. As I see circumstances unfold, I increasingly am concerned about whether that now at this point is the continuing right decision. I would look forward to a dialogue with the Department to share views about how we move in a direction that achieves our goals inside of Egypt.

Let me turn to Iran quickly. I know that there is a lot of bubbling expectation and hope, and I certainly share the hope, that some of the words and limited actions that are being taken are an expression of something deeper. But at the end of the day, only actions as it relates to the international community's position, not just the U.S. position but the international community's position, will lead us to believe that Iran is sincere about changing their course toward nuclear weapons.

The expression that "we will never have nuclear weapons" is not enough. If the world could just trust everybody, like Assad, who said he did not have chemical weapons, but now admits that he has them—to say that "we will never have nuclear weapons" is not enough.

You know, since the Iranian election Iran has added 2,000 centrifuges, including 300 second generation ones. It is looking at a plutonium process, which is very worrisome. And yet the administration has issued very few new sanctions.

So I would like to get a sense from you as to what more can the administration do to send a message to the Iranians that we appreciate the words, but we will only trust actions that go in line with the international community?

Ambassador PATTERSON. Mr. Chairman, I think that is right. We have seen some encouraging signs in the past few days, the release of a limited number of political prisoners, some of the statements by President Rouhani about the nuclear program. But the fundamental issue here is that they have to comply, Iran has to comply, with the provisions of their international obligations, both to the IAEA and to the Security Council resolutions.

Let me say, Senator, as I was getting ready for this hearing I looked at the sanctions and I was surprised at how effective they have been. This is the most effective sanctions program that I can ever remember. The effect on their petroleum exports, cutting off Iran from the international financial system, the effect on inflation, the effect on the depreciation of the rial—this is what, one might hazard a guess, is what has brought them to this point.

So I think we need to see how the sanctions regime will play out. There are some targets coming up. There is the evaluation of the reduction in oil imports. So I think we need to give it a little more time. But again, I look forward, if confirmed in this position, to

working closely with you on the Iranian sanctions program, because again I think it has been very successful.

One way, one demonstration of that, I believe was the election of President Rouhani, since the Iranian people voted for change, clearly voted for change.

The CHAIRMAN. Let me just close by saying, look, sanctions are a means to an end. As strongly as I have been an advocate and the author of them, if Iran were to act in accordance with the P5+1 positions, with the international community's positions, with the Security Council's positions, then upon acting in that way in a verifiable way, I will be one of the advocates of seeking to lift those sanctions, because I am sure the Iranians wonder whether the sanctions would ever be lifted if they actually comply. I for one would be ready to do so, but only if, in fact, we have compliance in accordance with the United Nations Security Council resolutions and the efforts of the P5+1.

I have a whole host of other questions for you and Mr. Starr, but I will turn to Senator Corker.

Senator CORKER. Thank you, Mr. Chairman.

Thank you both again for your distinguished careers. I think both of you are very suited for the positions you have been nominated to and I look forward to working with you both.

In your case, Ambassador Patterson, you are moving from in a way a field commander's position to a strategist. Some of us have watched and feel like sometimes that our responses to what is developing in the Middle East are ad hoc, maybe especially so in Syria until recent times. I am just wondering if you get a sense as to whether there is an overarching strategy in the region or whether, in fact, our foreign policy and our relationships in these countries is more dependent on events as they evolve. I would just like for you to expand on that if you could.

Ambassador PATTERSON. Thank you, Senator Corker. Yes, I know this is a very difficult issue, because frankly I think the changes in the Arab Spring or Arab Awakening, as we now call it, came at us very, very rapidly. But I do think there is an overarching strategy toward the region and I tried a bit to lay that out in my longer written statement.

The first is to try and promote some kind of democratic transition. These societies are not going to go back to where they were. They have gotten rid of old autocrats. There is a high degree of violence. There is a lack of institutional structures throughout the region. So that I think is our first priority, and it is going to be really hard, because each country is at a different level of development.

At the same time we have these enormous security interests in the region, in Syria and Iran and Libya, and we are going to have to pursue those simultaneously. So those I would say would be the two overriding elements in our strategy, but the implementation of them is going to be extraordinarily difficult. I might hazard to say that it is going to be expensive at times. Look at the Syria situation. But I would say those would be our two priorities for the region, to, one, promote our security interests, which are going to differ from country to country, and to promote an overall broad strategy of democratization.

Senator CORKER. You know, a recent observation in the Middle East would be that democracy means to many of the folks in the Middle East that democracy is an election. It is almost a “one and done” mentality. The election occurs and then there is the consolidation of power. Right now in Iraq, one of the reasons we are having some of the security issues or they are having some of the security issues they have there is Maliki is focused on concentrating power and appealing to the base. We had the same thing with Morsi in Egypt.

Is there anything you might—is there any light you might shed to us regarding how you see that evolving over time to real governance issues?

Ambassador PATTERSON. Senator Corker, that is going to be a huge challenge, because these countries—elections obviously are not enough, because these countries have no institutional structures. I mean, in the most fundamental way they have weak structures even to support an electoral process. So we are going to have to help them develop rule of law systems, to help them develop commercial regulation, to help them develop all the things, participation by minorities, which I think is probably the most critical element throughout the Middle East, to have adequate participation by minority populations in the overall political environment.

That involves working with political parties. It involves working with civil society. And it is going to take a really long time because there is no history of this. I do not want to come before you and suggest this is going to be easy.

I think we may be aided by having the support of many of our allies in this respect, but it is going to be a long, hard slog.

Senator CORKER. I appreciated your comment about the sanctions on Iran, and I do think they have had a big effect and there is no question of the people on this committee that have had the biggest role, there is no question our chairman has, and I want to thank him for that.

I also want to say that I think the committee’s actions relative to Syria a few weeks ago had a big effect on moving toward the discussions that are now under way.

Now, recently, I guess I read this morning in the paper and heard through conversations last night that maybe the Iranian issue is now being discussed. Do you have any sense of what is happening right now relative to negotiations and how the Syrian issue may lead to other conversations in Iran that we might not be aware of?

Ambassador PATTERSON. No, Senator, I do not have any information about that.

Senator CORKER. Let me ask you this. The Arab Spring or the Awakening, as you just called it, as we look, and I know the chairman mentioned something about how we look at our national interests in Egypt—I too felt like at the time of the debate it was not the time to just cut off all aid. I think at some point we will figure out a way to pursue aid in a way that does further our national interests, at the same time does send a signal to the Egyptian military.

But can you tell, with everything that has happened—we had a dictator that left, we had an election, now we have a different situ-

ation—has the Arab Awakening, as you call it, ushered in any difference in Egypt at this point? Has anything really changed? Are we back where we started a couple of years ago?

Ambassador PATTERSON. Senator Corker, I do not think we are back where we started, because the population is energized. This huge number of largely unemployed young men who have now the ability to communicate through means that they did not have even 5 years ago—the population is hugely energized and at least in Egypt believes that taking to the streets in demonstrations is the way to express yourself politically.

The trick for the international community will be to try to help countries, and not just Egypt, get past that and channel this enormous enthusiasm and, frankly, frustration of young people, which is very multifaceted, into a legitimate political structure. So I do not think it is going to go back by any means, but I do think, because of a combination of factors, we may be in for a prolonged period of instability in this region, and not just in Egypt.

Senator CORKER. I know my time is up and we have other panelists, and I do not know if we are going to have another round. If we do not, again I want to thank you both for your desire to serve in this way.

Mr. Starr, I know we talked at length about Diplomatic Security. I know that you have emphasized that the buck stops with you, and I really like that attitude. I do hope that in the State Department itself you will figure out a way to have a different degree of accountability than we now have. I hope that will be a thrust. I think the bill that we have looked at here in the Senate may help with that. But I do thank you for your willingness and I will look forward to working with you.

The CHAIRMAN. Thank you, Senator Corker.

Senator Shaheen.

Senator SHAHEEN. Thank you, Mr. Chairman.

Thank you, Ambassador Patterson and Mr. Starr, both of you, for your willingness to continue to serve the country and take on these important posts at a very critical time.

Ambassador Patterson, I especially appreciate the kindness you have showed to a number of us when we visited Pakistan during your tenure there and your great work in Egypt in a turbulent time.

I actually want to start, Ambassador Patterson, by asking you about the special immigrant visa program. Having served in some of the countries that have been critical to the effort in Iraq and Afghanistan, as I am sure you are aware, the special immigrant visa program was established by Congress to address those people in Iraq and Afghanistan who have been very helpful to our efforts there, who in many cases risked their lives and their families' lives to help ensure that the Americans who were on the ground were safe and able to accomplish their missions.

I am very troubled that we are here with the special immigrant visa program for Iraqis due to expire at the end of this month. I am hopeful that we are going to see a willingness on the part of the House to extend this program. I know that the Senate is very committed to this, that there is language on the defense authorization bill that Senator McCain and I have offered to address it.

But hopefully we can reassure those people who are in the queue to come to the United States to safety that they will have our assistance in doing that. I wonder if you could speak to what might happen to some of those folks if we are not able to extend this program and allow them to come to the United States?

Ambassador PATTERSON. Thank you, Senator Shaheen. Let me start off with my son, who is here today, Edward, was a captain in Iraq a few years ago. He sent me an e-mail—I will never forget this. He sent me an e-mail about one of the interpreters with his unit, who had pulled some of the injured soldiers in his unit to safety. So I feel a personal connection to this issue.

The administration is asking for an extension. I know the number has been under the cap; 2,500 people have been processed. We are trying to speed up that process and I hope we can do that. I will certainly promise you that I will do everything we possibly can to speed that process up. But we are going to ask for an extension.

Senator SHAHEEN. Well, thank you. I appreciate that. As you point out, it is a two-part problem. One is to make sure that the program gets extended, that the authorization gets extended, past September 30. But the other problem is to make sure that at the State Department we are processing those special visas in a way that keeps people moving through the queue. Sadly, I think that to date the record has not been as good as I would like to see it in terms of addressing the people who are waiting. I appreciate that there are security issues and that we need to address those, but it would be tragic for us to fail to help the people who helped our men and women on the ground and as the result they and their families are at risk and threatened.

So thank you for your commitment.

Ambassador PATTERSON. Thank you.

Senator SHAHEEN. Can I also ask you if you could give us an update on where the current Israeli-Palestinian negotiations are? I think all of us have applauded the effort to restart those and Secretary Kerry's tireless work in doing that. But we are watching with great interest and some concern about whether these talks are going to go anywhere.

Ambassador PATTERSON. Senator Shaheen, I have talked to Secretary Kerry about this and he is very optimistic. I must tell you, we all admire his leadership on this issue, that he has really put an enormous amount of his personal prestige behind this.

But I frankly do not have any details to offer you, because he has said that he would like to be the one that will engage on this issue. So I will certainly convey that to him. But I think Martin Indyk is also—I think he may be back in town, and perhaps we can arrange a discussion with members of the committee.

Senator SHAHEEN. I think that would be very helpful. I hope, Mr. Chairman, that you will facilitate that.

Thank you.

Ambassador PATTERSON. Thank you.

Senator SHAHEEN. I am almost out of time, but I just wanted to ask, Mr. Starr, one question for you, because with the focus on what happened tragically in Benghazi, we know that security at our embassies is critical and that, despite their diplomatic role,

that anybody who is assigned overseas is in a risky position and there is the potential for danger.

At the end of the day, it is really our host countries that we depend on to address our embassy security. Can you speak to whether there is more that we can or should be doing in terms of working with those host countries on ensuring that our embassies are protected?

Mr. STARR. Thank you for that question, Senator. Yes, I think that, despite the fact that we work so closely with the international community and with the Department of Defense, others in the Federal Government, on all of these issues, in many cases it really does come down to the State Department people on the ground and the host country. We believe that programs like the Antiterrorism Assistance Program and other programs where we are trying to help host countries develop the capabilities to protect themselves and protect us at the same time and protect our presence, are critical. We need to continue those programs. They have been effective in the past.

We look for opportunities to expand those programs. Quite honestly, I think that that is an important factor. Beyond just continuing to say things like we will hold the host country responsible, we have to help them be responsible. So yes, there are ways that we can do this and we will continue. If I am confirmed, I will continue to look closely at that. The Antiterrorism Assistance Programs, Diplomatic Security is the implementer. The Bureau of Counterterrorism is the director of the programs. We will work closely toward that.

Senator SHAHEEN. Thank you. I appreciate that and hope you will share what happens with this committee.

The CHAIRMAN. Thank you, Senator Shaheen.

Senator Risch.

Senator RISCH. Thank you, Mr. Chairman.

Ms. Patterson, I have a series of questions for you on Syria and on Egypt and others. But I am going to set those aside, because I have got to tell you, I am shocked, I am absolutely shocked, to sit here and have you describe the sanctions against Iran, after you have reviewed them, as you said, and your conclusion that they have been effective. You described them as successful.

I am one that was a sponsor of those. I have promoted them. I had reservations about them, but I have got to tell you, if this is the administration's view, that these have been effective and successful, I hope you will take the message back to the State Department that this is not a "mission accomplished" moment. I think they have been an abject failure.

You heard the chairman describe about the new centrifuges they have brought in, about the new technology they are using. I mean, I do not understand this. I am taken aback by your description of what the sanctions have done.

These sanctions were not put in place to impose some kind of pain or something like that. They were imposed to change conduct. They were imposed in order to make conduct different. They have been an abject failure in that response, and I would really hope that you and the administration, if that is their position, would rethink this.

Ambassador PATTERSON. Senator Risch, I certainly did not mean to imply that they have been successful in changing behavior. But they have certainly been very successful at causing pain in the Iranian economy, and hopefully they will be successful in bringing Iran to the table to discuss these other issues, to actually affect behavior.

I totally understand your point, that it is not just to cause pain in the economy, but also to change behavior. But causing pain in the economy is how sanctions work. The reduction in oil revenue has been dramatic. Cutting them off from the international financial system has made it almost impossible for them to export or trade. Again, the distress in the population, which we think had an impact on President Rouhani's election.

So it needs time for diplomacy to work. We think there is still time. But let me again stress, Senator Risch, the President's position that Iraq will not—Iran, excuse me—Iran will not acquire a nuclear weapon. But I certainly understand your point. Let me say that I absolutely—what matters is results and not just economic pain.

Senator RISCH. Well, as we all know, in this diplomatic business vocabulary is important. I would hope you would remove the word “success” and you would remove the word “effective” from the vocabulary when you are talking about this program, because they are not in any way, shape, or form successful or effective in making these people comply with the conduct that the world demands of them.

So I would hope you would review that and instead go back to the point that we were going to try these things first. We were going to try sanctions first, but that all options are on the table, and every day that goes by it looks more and more as if we are going to have to turn to other options, which we do not want to do, the world does not want to do, and I guarantee you when we are done the Iranian people are not going to want to do.

So I would really hope that you will revisit the language and the adjectives and the vocabulary that we are using.

Let me just finish up with something that is much more parochial. I understand this is difficult to do in an open setting as opposed to a classified setting. But I have a constituent, Pastor Abedini, that you are familiar with, who has been held now for 418 days in prison in Iran for doing nothing but being a Christian and speaking about Christian matters.

I understand we do not have diplomatic relationships with the country and we all know how difficult the relationship is. And we also understand that there are other channels that we cannot talk about here. But I hope you will take back a message again to the State Department on how important it is that this man be released from prison, for doing something that the world does not condone, and that is simply for exercising his religious freedom.

My time is up and I thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Risch.

Let me just take a moment. I appreciate what the Senator had to say about how you view the word “success” or “effective.” I personally believe if we say that the end game that we want, which is Iran to deter its nuclear weapons program, have we succeeded

in that? No, not yet. But I do believe that, as I understood the Ambassador's use of the word, which I would embrace personally, that they have been effective in moving the Iranians to a point to understand the consequences to everyday Iranians in their lives, and therefore to the regime.

The regime ultimately wants to be able to stay in power. And they may think our efforts as it relates to the nuclear program is about regime change. It is not. It is about, as the international community has said, not to pursue nuclear weapons, a nuclear capacity that could ultimately turn into a nuclear weapon, not regime change, as much as I may have issues with the regime. That is not the focus.

But part of the consequences of sanctions, especially if they continue to be vigorously enforced and ratcheted up, is that the population inside of Iran will increasingly clamor against the regime to change the consequences in their lives. So the regime will have to think about regime change, not from without, but from within. In that context, I think it is very important, and I do believe they have been effective. They can be even more effective.

I would just say to all of my colleagues, having just gone through the exercise in this committee about the question of the authorization for the use of military force as it related to Syria—and each issue is different, but the absence of continuing to pursue the sanctions regime to a point that may be what we see in the election of Rouhani, may be what we see in the comments that have ensued since, is as a result of the economic pressures that they are facing and are continuously ratcheted up. But if that is not successful, then the only option left then will be a vote for a use of force. I hope that colleagues who feel, as I do, that Iran at all costs cannot have the wherewithal to achieve nuclear weapons will be in a position at that time to support the use of force, because otherwise either we have sanctions vigorously pursued, hopefully with the goal that we collectively want, or there is only one other option after that, assuming that does not yield the diplomacy we want. That is the challenge we will face.

Senator RİSCH. Mr. Chairman, first of all, thank you very much for those words. Again, I come back to the fact that I think we should take out of this description of what is happening there, the words “success” and “effective,” because, as you pointed out, they have not even been effective or successful in getting them to put their nuclear program on hold. Indeed, they are expanding it, as you eloquently described in your opening statement.

So I think by using in front of a committee like this, the Foreign Relations Committee of the United States Senate, for the administration to come here and say, well, you know, we are pleased that they have been effective and successful, I think back in Iran, who watches these statements very closely, they are going to breathe a little bit of a sigh of relief and say, well, you know, I guess they are not thinking about the other things that are on the table.

I think people should understand there and should understand in the international community and the administration should understand that the other options on the table we are getting closer and closer and closer to because of the ineffectiveness and the lack of success with the sanctions. So that is my view of the thing.

Thank you, Mr. Chairman.

The CHAIRMAN. I appreciate that, and I will not belabor it, that we have a disagreement, that the use of the word I think is in the context of having abiding economic consequence that may change part of the equation. But the gentleman and I share the same goal, and I just hope that, as he and I share the same goal, that others who have expressed the willingness to share that same goal also are going to be willing to be supportive of what the President will need if diplomacy does not yield at the end of the day.

Senator Kaine.

Senator Kaine. Thank you, Mr. Chair, and to the committee.

Ambassador Patterson, first thank you for being here today. I look forward to supporting your nomination and working with you in my subcommittee chairmanship capacity. I have decided to give Mr. Starr his money's worth for coming, so I am going to direct my questions at him if you do not mind.

Mr. Starr, some things have happened since we went on recess and I think it would just be helpful for the committee and all who are watching this to understand some of your recent actions. On the 4th of August the State Department ordered the closure of 22 diplomatic missions across the Middle East and North Africa due to potential terrorist threats. If you could, in the unclassified way, just quickly kind of walk us through making that decision and then how you made the decision about when to reopen those consulates and missions, please?

Mr. STARR. Sir, trying to keep this unclassified will be difficult. We had specific threat information that was credible. It was not specific to where something might happen against us. In close collaboration with all of our partners, decisions were made that closing some of our facilities would give us time to develop what that threat information was, to more adequately put protective measures in place, to work with host governments to protect us while we worked to determine and counter that threat.

I think it is important that we have the capability to do things like that.

I would like to put something on the record, which is that oftentimes we say, you know, an embassy gets closed. In many cases we may have to close our operations to the public, but the essential work that goes on in many of our embassies continues in many cases. We do not abandon our facilities. There is much that still goes on while we may still be closed to the public.

But you are correct, there was specific threat information. We needed a broad brush to address that specific threat information. I think it is indicative of the administration's willingness to balance the fact that, yes, we need to stay there and we need to be able to continue in the long run, with sometimes we need to take short-term steps that are effective and help us mitigate threats against us.

Senator Kaine. Mr. Starr, also within the last week there was a significant attack on the consulate in Afghanistan's Herat province. There were no U.S. casualties, I think because of a very strong response, both by embassy personnel and others. I was hoping you would just describe, again in an unclassified way, that at-

tack and how State Department personnel and others worked to make sure that it was rebuffed without any U.S. casualties?

Mr. STARR. Sir, at approximately 5:30 in the morning a group of individuals, which we now believe were probably led by Haqqani or sponsored by the Haqqani network, using Taliban personnel, attacked our facility in Herat, first with a very large truck bomb that exploded at our front gate, and then followed up with attackers that were wearing suicide vests, carrying automatic weapons, a large variety of mines and antipersonnel devices, and RPGs.

That Post is one of our posts where it is not protected by the Department of Defense. It is Diplomatic Security along with a cadre of very experienced contractors. It is a post that benefited from the fact that the nondefensive personnel that are assigned there, the regular Foreign Service officers, had gone through what we call our FACT—Foreign Affairs Counter Threat—training beforehand. At the moment that attack commenced, every one of them donned their protective gear. They had been drilled to make sure that they got immediately to the safe havens, which is exactly what they did.

The drilling on the part of the regional security officers and the defensive personnel that we had was incredibly effective, and in fact we neutralized the threat. I believe the total number was eight attackers that our personnel neutralized.

I would like to go on record saying that it was not without casualties to our side when we look at the Africa National Police and guard force members that were killed in that attack, some of our own Afghan national employees that were translators and security personnel, and some other personnel that were wounded. It was significant, but the defense of the facility was effective. Our personnel were not injured.

Senator KAINE. A very grim reminder of the challenges of the job, but it sounds as if it was a job effectively done.

Finally, Mr. Starr, we have talked before, most recently in July at a hearing, about future embassy training needs for State Department personnel. Is it still the position of the State Department—I know there is additional dialogue on this. Is it still the position of the State Department that the best option for the training of embassy personnel in the future is a FASTC Center at Fort Pickett, VA?

Mr. STARR. It is certainly my position, sir. We very much understand that our world has changed, and with that world it is not just a question of training Diplomatic Security agents, but it is the entire Foreign Service that needs to be prepared for the places that they work.

We believe the equities of having a consolidated training center in the nearby area to all of our other equities—the Foreign Service Institute, the Department of Defense, the intelligence community, the Marine Corps bases at Quantico—is still the most effective solution.

Senator KAINE. Thank you very much.

Thank you, Mr. Chair.

The CHAIRMAN. Thank you, Senator.

I have just some final questions. First of all, Ambassador Patterson, will you commit to me that, upon confirmation, that you will make an effort with the Iraqis to make it very clear to them that

they are equally as responsible for the security of those individuals at Camp Liberty and also to do all that they can to both pursue the attackers at Camp Ashraf and to return the hostages; the seven hostages that were taken out of Camp Ashraf?

Ambassador PATTERSON. Yes, sir, I will.

The CHAIRMAN. I want to ask both of you what I ask every witness: If confirmed, will you be responsive to questions and inquiries from the committee?

Ambassador PATTERSON. Certainly, Mr. Chairman.

Mr. STARR. Absolutely, Mr. Chairman.

The CHAIRMAN. Then finally, Mr. Starr, how often does State now plan to review presence at high-threat, high-risk posts through the High Threat Board mechanism?

Mr. STARR. We did the first review earlier this spring, sir. We have just finished a worldwide review of our threats against all of our posts overseas. It is something we call the Security Environment Threat List. Once we have that out—and it will be out by the end of this month—I intend to conduct another review in October of our high-threat, high-risk posts in conjunction with the regional bureaus, the other sections in the Department that are critical, with USAID, with our intelligence partners, and with the Peace Corps and others. It will be this October.

The CHAIRMAN. OK.

Now, the Department's six-person panel to, "thoroughly review the Diplomatic Security organization and management structure" concluded its work on May the 3rd, as I understand. I am not aware that this report has been released publicly. Is there an intention to release it to the Congress?

Mr. STARR. It is an unclassified report, sir. I believe it will be released to Congress. I believe at the moment what we are doing is going through our responses and trying to line up what we are doing in regard to the recommendations. But yes, I believe that ultimately this report is releasable.

The CHAIRMAN. Well, I would ask the Department to release it upon its completion.

I understand 4 of the 35 recommendations were not accepted by State. Is that a final determination?

Mr. STARR. More or less, sir.

The CHAIRMAN. Can you speak to why those four were not accepted?

Mr. STARR. One was a specific reference to putting a chief of staff position for the Director of Diplomatic Security. We do not usually have chief of staff positions in the Department. It is just a technical response.

The other was about whether Diplomatic Security's Intelligence and Threat Analysis Section should be part of the intelligence community. There are pluses and minuses in our minds to being "part of" the intelligence community when in fact what we are is users of intelligence. Over the past year, one of the things that we have done best is to increase our reach and depth into the intelligence community and expanded our collaboration with the intelligence community.

We at the moment do not necessarily believe that it is the best answer to try to become "part of" the intelligence community, but

to expand our contacts and make sure that we are getting the international that we need.

The CHAIRMAN. Have you had any obstacles in getting the intelligence that you need?

Mr. STARR. No, sir. We are linked very closely.

The CHAIRMAN. Then finally—well, two last things. The August 29 report of the “Independent Panel on Best Practices for Security at High-Risk, High-Threat Posts,” of which the committee has not received an official copy, but has had to rely on Al-Jazeera America’s leaked copy, which says a lot, recommends that a new position be created for an Under Secretary of Diplomatic Security and the responsibility for diplomatic security be shifted from the Under Secretary of Management to this new position.

Do you have views on that recommendation?

Mr. STARR. Sir, as I am up here trying to hopefully become confirmed, if your committee concurs, as the Assistant Secretary, I think that is my first hurdle. Looking at that larger question of whether or not my position should be an Under Secretary position, I think that is a larger issue that the Department needs to look at holistically.

I will tell you that one of the reasons I think that recommendation was made was to ensure that the head of security, whatever the rank, had access to the Secretary of State and other senior officials if they needed it. I think it will be a long process to determine whether or not we need an Under Secretary of State for Security. It needs to be closely looked at.

What I would like to do is assure you that I have the access that I need so far, and should I be confirmed I absolutely believe I will have the access that I need to have to the Secretary when necessary, to the Deputy Secretaries, to the Assistant Secretaries and the Under Secretaries in this Department. I think that is the critical issue.

The CHAIRMAN. Well, I would expect you to have that access, and in the absence of it, should you be confirmed, I would expect you to, upon review of this committee, to let us know if you are not.

Then finally, with reference to the Marine Security Guards, which I applaud, but my understanding is that two such detachments of the 35 new Marine Security Guard detachments are in place, with another expected by the end of September. That is 3 of 35. How long is it going to take to get the full complement?

Mr. STARR. I hope to have another six or seven activated by the end of this calendar year. We believe that is possible. There are issues that we have to undertake, such as leasing the facility for the Marines to live in and making sure it is safe and secure and altering the embassy or consulate profile so that they have the right place to work out of. That does take a little bit of time.

Ultimately, we believe this will be a 3-year process to put all 35 detachments out there. But as I say, by the end of calendar 2013 I hope to have 6 or 7 more, for a total of 9 or 10 activated this year.

The CHAIRMAN. Is the 3-year process because of the physical aspects that you have just described as part of the process? Or is it resources, or what?

Mr. STARR. It is not resources, sir. Well, first we have to have the facilities. We have to lease the facilities. We have to alter the

embassy property or the consulate property so that we can have the post and the electronics in it. That takes a while.

Second, the Marine Corps is upping the numbers of Marines that they can provide for us, and this activation plan is in accordance with how many Marines can be turned out of the system and given to us in a timely fashion. Thirty-five detachments is a lot of detachments. I believe it was the nineties, sir, when we increased from about 112 to about 150 detachments. We have done this before and there are problems—not problems. There are issues that come up that we must solve. We think that the 3-year timeframe is a realistic timeframe.

I would also note, sir, that there are other programs, such as increasing the number of Marines that we have at our existing detachments at our highest threat posts, which are also a very high priority for us. And in some cases, instead of activating another detachment, we are taking the Marines that could be available for that and increasing the number of Marines that we have at an existing facility to improve the protective capabilities that we have.

The CHAIRMAN. Well, obviously the committee wants to work with you to ensure that we can effectively, but as quickly as possible, achieve these goals.

Let me just finally say, we appreciate the men and women who serve in the Diplomatic Security. Having traveled many places in the world, we see firsthand their efforts and we appreciate that.

Senator Corker.

Senator CORKER. Yes, sir, very briefly. I appreciate your patience in being here today and your service.

Mr. Starr, we talked a little bit about one of the positions that you need to fill, the Deputy Assistant for high-risk, high-threat posts. I guess we passed a piece of legislation out of committee that will go to the floor that has some recommendations about the qualifications for that person. I know you had some concerns about that.

For the record, would you briefly state what those are?

Mr. STARR. Sir, I want to thank the committee for all of the work that has been done on the embassy security bill. I think it is an excellent opportunity. It gives us resources and gives us guidance that helps us go in the right direction.

The Deputy Assistant Secretary position for high threats, which reports directly to me, is a very good position. It is something that we need and it works very closely. I think that the committee was trying to ensure that that position met the highest of requirements, but I think in trying to do that some of the requirements were very prescriptive, and I have some concerns whether or not I can meet some of the prescriptive requirements that were put down for the Deputy Assistant Secretary position.

In the final analysis, I believe what I need to be able to do is pick the most qualified person that I have within my organization to fill that position. That is just my concern, that some of the prescriptive requirements were put down, which with the best of intentions were to ensure that this person met the highest level of qualifications, may be difficult for me to fulfill.

Senator CORKER. I think the committee worked very well under the chairman's leadership to produce I think a good piece of legisla-

tion. My sense is that to make it work is also a goal, and I have a sense we will be able to resolve that issue.

We also talked a little bit that there have been some concerns about you narrowing down or shortening the training program down to 10 weeks. I know we had thought maybe that had been done solely for monetary purposes, but you really do believe the length of the training and what is being implemented or what is being put forth in that training program is exactly what you need for the folks that are moving into Diplomatic Security posts?

Mr. STARR. Yes, sir. At the current time, the 10 weeks that we are putting our agents through for high-threat training is what I believe we need. I will submit to you, though, sir, that what I have committed to is to run two iterations of that training, two classes of it, and then do a review of the training to determine whether or not we got exactly out of it what we needed to do. So we will be doing a review after we run it twice and make sure that that is exactly what we need.

Senator CORKER. If you would share with us after those two iterations your sense of what the shortcomings and plusses are, we would appreciate it.

Just one last question. We will have a debate soon about aid to Egypt. I do not know when it will occur, and I know that you are trying to think through the best way to handle that. We talked a little bit about that yesterday or the day before. A lot of times people go down to the Senate floor and they talk about our influence on Egypt regarding the aid, and I think on the other hand some of us talk about our national interest relative to aid. Would you just, for the record, talk a little bit about the influence component with other countries supplying other types of aid and whether that is what we should look at or whether it is our national interest in how that aid is flowing?

Ambassador PATTERSON. Senator Corker, let me talk about our national interest, particularly vis-a-vis the relationship with the Egyptian military. Let me say that I have been deeply influenced by some of these issues by my experience in Pakistan, where we cut off assistance to the Pakistani military for 12 years, with in my view disastrous strategic consequences, because now we have a generation of people that have no contact with the American military and no exposure to our values because of their training here.

So I think we have some very difficult political issues to work through. But I think our relationship with the Egyptian military and in turn their relationship with their counterparts in the Israeli military on the very important issues of Camp David implementation and on border issues and on the situation in Gaza, is really a cornerstone of peace in the region.

So I think we have to look very closely at the role of our assistance in preserving our national security interests in Egypt, and particularly in protecting and working with our ally Israel.

Senator CORKER. So sometimes countries do not do things exactly the way we wish for them to do them, but we still have an interest in preserving the relationship; is that what you are saying?

Ambassador PATTERSON. Yes, sir. Often they do not do what we tell them to do, frankly. But we have conflicting interests in many cases, and we have to balance our interests. In this particular case,

the Camp David Accord and its implementation has been really the cornerstone of peace in this region for decades. So it is very important to sustain that.

And it is very important to sustain the ties, the ties with the officer corps, not just in Egypt, but in other countries throughout the region.

Senator CORKER. Well, my sense is after your experiences you will help shape a policy that both helps us influence Egypt in a positive direction, but at the same time maintains our national interest.

I thank you both for your testimony and for your willingness to serve and, as I have mentioned before, I look forward to working with you both.

The CHAIRMAN. Thank you, Senator Corker.

I am sure what we do is we urge countries to consider a course of action that we believe shares both our interests as well as theirs as well. I am not sure we tell them what to do.

In any event, we appreciate your answers to the questions. The record will remain open until the close of business tomorrow. If there are any questions that come to you, we urge you to answer them expeditiously so that we can consider you for the next business meeting.

With thanks to both of you and to your family who is here, this hearing is adjourned.

[Whereupon, at 12:36 p.m., the hearing was adjourned.]

ADDITIONAL QUESTIONS AND ANSWERS SUBMITTED FOR THE RECORD

RESPONSES OF GREGORY B. STARR TO QUESTIONS SUBMITTED BY SENATOR ROBERT MENENDEZ

Question. Establishment of a DAS for High Threat Posts: After the Benghazi attack, the Department made a number of internal organizational changes, the most conspicuous of which was the creation of a Deputy Assistant Secretary (DAS) for High Threat Posts. Please provide your assessment of how well these changes have served to better secure U.S. personnel and facilities abroad.

Answer. On November 29, 2013, the Department of State announced the appointment of a Deputy Assistant Secretary for High Threat Posts. In January 2013, the Directorate of High Threat Posts, subsequently renamed to High Threat Programs (HTP), was created. Under the guidance and direction of one of our most senior and experienced Diplomatic Security (DS) Officers, DS/HTP has been providing strategic policy direction and program support focusing specifically on those posts deemed to be operating under especially high threat and high risk. For example, DS/HTP was instrumental in the coordination of the recent temporary closing of a number of posts and several that went to reduced staffing. Conversely, DS/HTP will be intimately involved in reviewing the specific security situations at each post and contributing directly to the decision to reopen or increase staff, as appropriate, and prepare those posts for the secure resumption of diplomatic activity.

Domestically, DS/HTP is the focal point for directing resources and program support to the diplomatic missions in the countries falling under its responsibilities. DS/HTP is also the central point of contact for the interagency community when an emergency or crisis or other situation arises requiring an immediate response. DS/HTP is responsible for ensuring that our most high-threat and high-risk diplomatic missions are better protected, better equipped, and better informed than ever before.

Question. The Department has announced plans to hire and field 151 new Diplomatic Security Personnel by the end of the next fiscal year. What progress has been made toward this goal? What factors will influence whether you meet this timeline? How do you foresee deploying these agents? What is the retention rate for Special Agents? What challenges, if any, exist to retaining the Agents you hire and train, and how can those challenges be addressed?

Answer. The Bureau of Diplomatic Security (DS) plans to hire and field 151 new employees by the end of fiscal year (FY14). A total of 75 will be DS Special Agents. The remainder consists of 15 Security Protective Specialists, 15 Security Technical Specialists, 4 Security Engineering Officers, 9 Office Management Specialists, 14 Intelligence Research Analysts, and 19 other Civil Servants. To date we have hired 113 individuals and the other 38 will be hired by the end of FY14. The locations for the 75 DS Special Agents have been determined based on input from the Regional Bureaus and the Regional Security Officers and the DS agents have begun arriving at their respective posts.

Every year the Department sets our hiring goal based on attrition. For FY14 it was set at 72 for DS Special Agents. Our agent population is about 2,000, with an attrition rate of about 3.5 percent per year. DS faces the same retention challenges that are faced by the rest of the Foreign Service (FS). For example, the strain on employees and their families at having to serve in overseas assignments and at unaccompanied tours to high or critical threat posts. Some employees' family situation changes after they join the FS and serving overseas becomes a challenge.

Question. Ensuring that a sufficient number of Diplomatic Security Special Agents are deployed to high-threat posts has been a key concern. Have there been difficulties in filling these high-threat positions? If you have met the full staffing needs of the high-threat posts, how will that affect DS staffing in the rest of the world, if at all?

Answer. The State Department completed a worldwide security assessment in March and designated 27 high-threat, high-risk (HTHR) posts. DS is taking steps to ensure HTHR posts are correctly resourced:

- In FY 2013, DS hired 113 new security professionals, including 75 special agents and 15 security protective specialists. Many of these new employees will directly serve at or will provide regional or Washington-based support to HTHR posts.
- An additional 38 DS personnel will be hired in FY 2014.
- New Marine Security Guard detachments are in the process of being established and staffing levels for a number of detachments located at posts designated as HTHR are increasing.
- Based on the work of the Interagency Security Assessment Teams (ISAT), we are directing considerable physical security resources to HTHR posts to enhance their capability to withstand an attack.
- We are providing increased training for personnel to better prepare them for their assignments to HTHR posts.

However, we are not just focused on high-threat, high-risk posts. We apply the lessons learned from previous attacks to all of our facilities. Although there are unique conditions at each of our posts which guide how we provide security each facility and its personnel, there are a number of programmatic commonalities that apply worldwide, regardless of threat level and local security environments including:

- The construction of hardened, secure facilities;
- The use of appropriate technical and physical security technologies and counter-measures;
- Development and maintenance of a well trained, well equipped and flexible cadre of security professionals across a variety of disciplines;
- The training of the entire foreign affairs community to deal with enhanced-risk environments;
- The deployment of the equipment needed to protect our facilities and people;
- Close cooperation with interagency partners and host country security agencies to detect, deter, and disrupt threats directed against U.S. interest abroad.

Managing resources and ensuring that our Regional Security Officers have the resources they need in order to carry out their mission is vitally important. This issue will have my full attention and be of the highest priority for both me and my senior management team.

Question. One problem identified with respect to the facility in Benghazi was that DS does not have a floating pool of agents that can provide a surge capacity when the need arises. To what extent has that problem been addressed? Will any new Special Agents be used to create such a surge capacity?

Answer. The 75 Special Agents hired under the Increased Security Proposal (ISP) will fill gaps left in domestic offices so more experienced agents can fill newly established overseas positions. All newly hired agents will be provided some basic "high-threat" training during their Basic Special Agent Training (BSAC). Diplomatic Secu-

rity recently added 2 weeks of high-threat training to BSAC. The newly hired DS Special Agents will also undergo the full 10-week high-threat training course, as time permits, during their first tour in a field office so they can be deployed to field to assist posts in crisis.

We will continue to work with Congress as we determine how we can meet the evolving security needs to include additional staffing requirements.

Question. In order to ensure critical continuity and institutional knowledge at high-threat posts, the Benghazi Accountability Review Board (ARB) recommended that key officers—including security officials—should be deployed to these posts for a minimum of 1 year (with assignments of no less than 4 months for lower level officials). What progress has the Bureau of Diplomatic Security made on this recommendation? What challenges, if any, exist in implementing this recommendation?

Answer. All high-threat posts now have a minimum of a 1-year tour of duty. Diplomatic Security (DS) is planning to ensure overlap between incumbent and incoming positions to facilitate continuity of operations at high-threat posts. Temporary duty assignments are set at a minimum of 120 days. With congressional support, we have been able to hire 113 additional DS personnel, of which 75 are DS agents in fiscal year 2013 and 38 additional personnel in fiscal year 2014. These additional personnel will provide direct support to high-threat posts and well as improving embassy security at other overseas posts around the world.

Question. The Bureau of Diplomatic Security analyzes threats to U.S. diplomatic facilities in order to determine what security measures need to be taken to mitigate those threats. How has DS's ability to analyze and disseminate information about those threats to key security management officials improved since the Benghazi attack?

Answer. The Department, including the Bureau of Diplomatic Security (DS), is working more closely with the Intelligence Community (IC) than ever before to identify and analyze credible threat information. DS has established liaison positions at various IC elements to improve the flow of threat reporting and analysis. DS has also undertaken an effort to provide highly classified threat reporting directly to regional security officers at high-threat, high-risk posts by improving our computer infrastructure at all classification levels. This effort has improved the timeliness of threat warning. Within the Department, DS has expanded the distribution of threat reports and analysis by vastly expanding the readership of the DS daily threat publication.

Question. The Bureau of Diplomatic Security is responsible for defending the Department of State's global network of information technology systems and information assets. Please describe the Department's strategies for defense against network intrusion and other cyber threats.

Answer. The Bureau of Diplomatic Security (DS) coordinates closely with the Bureau of Information Resource Management (IRM) and other offices to protect the Department's global network of information technology systems and information assets. DS has established a comprehensive "defense-in-depth" cyber security program which enables the Department to detect, react, analyze, and respond to sophisticated malicious cyber activity from foreign intelligence services and computer criminals. DS provides this operational security capability through an interdependent set of cyber security teams, tools, and programs including network intrusion detection, compliance verification, vulnerability assessment, incident handling, threat analysis and the Regional Computer Security Officer program. This fully integrated program capability enables rapid coordination and action on a number of issues involving global cyber threats and network security vulnerabilities.

In functional terms, the DS programs address the following cyber threat issues:

- The Network Monitoring Center maintains a 24/7 watch on the Department's global network traffic, which checks for anomalous and/or suspicious activity and reports on events.
- The Computer Incident Response Team (CIRT) reviews events and keeps operational managers, law enforcement and US-CERT informed about incidents and coordinates incident response actions with all stakeholders.
- The Cyber Threat Analysis team delivers daily and topical all-source reports on pressing threat issues and works closely with law enforcement and counterintelligence agencies to develop a comprehensive threat picture and remediation measures. This unit also performs proactive penetration testing and network forensic analysis to detect and resolve major threat issues.

- Regional Computer Security Officers (RCSOs) are the Department's "boots on the ground" performing cyber security assessments at overseas sites and reporting findings to DS.
- DS also works closely with the Department's virus detection and other security programs to stay abreast of any problems affecting the confidentiality, integrity, or availability of the Department's networks.

In addition, DS uses its expert cyber security teams to address and improve the Department's cyber security posture abroad through these initiatives:

- Providing customized cyber security support to the Secretary and other senior officials during major diplomatic events.
- Detailing DS personnel on a full-time basis to other federal cyber security operations centers to ensure the timely sharing and analysis of threats, cyber intelligence and technical developments. This includes DS personnel assigned to:
 - National Security Agency/Central Security Service Threat Operations Center (NTOC);
 - Department of Homeland Security's U.S.-Computer Emergency Readiness Team (US-CERT);
 - DS Special Agent assigned to the Federal Bureau of Investigations National Cyber Investigative Joint Task Force (NCIJTF).

DS can provide a briefing in an appropriate setting that will provide a fuller understanding of the threats affecting the Department and our cyber security program's ability to mitigate risk.

Question. The Department of State has faced well-publicized challenges in monitoring and overseeing contracts of all types in high-risk areas such as Afghanistan and Iraq in recent years. Please describe your view of DS's performance in this area. Specifically, please outline what measures have been put in place from an organizational standpoint (recruitment, training, retention, etc.) to improve the State Department's performance in this area.

Answer. The Department, including the Bureau of Diplomatic Security (DS), strives to ensure adequate government oversight of contracts and will continue to seek to improve that oversight going forward. Maintaining the appropriate security posture at our missions is a continually evolving effort. The use of contractors has been important to permitting the Department to quickly deploy personnel with multiple skills to operate in nonpermissive environments. Civilian agencies do not always possess the necessary personnel for such deployments, and contracting allows agencies to quickly deploy personnel with the necessary skills where needed. Security programs operating in contingency environments, such as Iraq and Afghanistan, require layered, multifaceted approaches that incorporate redundancies in capabilities, resources, and services.

As part of its effort to improve oversight of security contractors, the Department institutionalized many additional control measures as part of the Worldwide Protective Services (WPS) contract awarded in September 2010. This contract incorporates important lessons learned to ensure that Private Security Contractors (PSCs) retained by the Department perform their activities in a professional, responsible, culturally sensitive, and cost-effective manner. Diplomatic Security's management and oversight of PSCs includes:

- DS Special Agents at each post manage and oversee the Static Guard and Personal Protective Security programs;
- DS Special Agents at each post serve as Contracting Officer's Representatives (CORs) and Assistant CORs (ACOR) for the direct management and oversight of the WPS contract;
- DS personnel at each post are assigned as Government Technical Monitors (GTM) to assist the COR and ACOR in the oversight of the WPS contract; Direct-hire DS personnel (DS Special Agents or SPS) provide direct operational oversight of all protective motorcades;
- Revised mission firearms policies further strengthen post's rules on the use of force, and new less-than-lethal equipment has been distributed to the field as a means to minimize the need to employ deadly force;
- All incidents involving a weapons discharge or other incidents are required to be reported by PSCs and thoroughly investigated by the Regional Security Officer;
- The Office of Acquisitions Management has a dedicated, qualified team of contracting officers and contract specialists assigned to administer PSC contracts. They make regular field visits to each post to conduct reviews of PSC contracts.
- Improving the image of the security footprint through enhanced cultural sensitivity;

- Mandatory country-specific cultural awareness training for all security contractors prior to deployment;
- Revised standards of conduct, including a ban on alcohol;
- Interpreters included in protective security details.
- Achieving greater efficiencies through new contract terms:
 - One set of terms and conditions enhances the ability to provide uniform, appropriate, and consistent oversight;
 - Reduced acquisition timelines;
 - A larger number of qualified base-contract holders, thereby increasing competition while controlling costs;
 - Timely options in the event a company fails to perform;
 - More efficient program management compared to multiple, stand-alone contracts;
 - Computerized tracking of contractor personnel to aid in reviewing personnel rosters used to support labor invoices.

Despite all of these changes, certain contracting challenges remain. The Department is currently seeking the permanent authority to use Best Value contracting for local guard contracts. The Department would use this authority at a limited number of posts, which face challenges in delivering adequate security using the lowest price, technically acceptable model. While the Department does not anticipate using this authority broadly, we do seek to use this authority in those countries where traditional contracting models have proven inadequate.

Question. As I understand it, New Embassy Construction is prioritized on the basis of security. If confirmed, what are the criteria by which you think it is important to assess a facility's overall security? How will you prioritize projects?

Answer. The prioritization process to build new embassy and consulate compounds that has been in place has proven to be effective, but we can and will do better. Since 1999, the Bureau of Overseas Building Operations (OBO) has completed over 100 projects to construct new facilities, providing a safe and secure work environment for over 29,000 U.S. Government employees. Still, approximately 158 facilities do not fully meet current security standards. If confirmed, I will continue to work closely with OBO to ensure that the U.S. Government has safe, secure, and functional facilities to support the implementation of U.S. foreign policy.

In keeping with U.S. national security considerations, our foreign policy goals, and the provisions of the Secure Embassy Construction and Counterterrorism Act (SECCA) and the Overseas Security Policy Board's (OSPB) standards and policies, the Department prioritizes new diplomatic construction based on a risk analysis process that ranks overseas facilities on a variety of security threats, including vulnerability. This analysis informs OBO's Capital Security Construction Program schedule, which prioritizes the top 80 posts ranked most vulnerable, taking into consideration location and site availability, and schedules construction based on anticipated contract award dates. With the creation of the high-threat, high-risk post list, the Bureau of Diplomatic Security (DS) has requested that, when feasible, OBO prioritize projects from the Department's high-threat, high-risk list.

Question. The Benghazi Accountability Review Board, in recommendation number 17, recommended expanded counter threat training. Right now, the Department is at capacity with respect to its ability to provide security training and diplomatic security training is conducted at up to 19 different, geographically separated, leased, and contracted facilities nationwide. If confirmed as Assistant Secretary would you feel comfortable in your ability to prepare DS agents and Foreign Service officers for positions in high-threat high-risk posts without a consolidated security training center?

Answer. The Bureau of Diplomatic Security (DS) currently trains at 19 leased or use-fee facilities. Utilizing all of these facilities, DS currently does not have the capacity to train everyone going to high-threat posts in the Foreign Affairs Counter Threat course. Without a dedicated, consolidated hard-skills training center, the Department is not able to offer systematic, efficient hard-skills security training. Without this training, I do not believe personnel are sufficiently prepared to counter the violent actions they face abroad.

Working since 2009, the Department of State (DOS) developed plans for construction of the Foreign Affairs Security Training Center (FASTC). The attacks on U.S. diplomatic facilities last September—in Libya, Tunisia, Egypt, Yemen, and Sudan—emphasize the need for a dedicated hard-skills security training center to ensure the foreign affairs community and other agency personnel serving in overseas are well-prepared. The evolving overseas mission mandates a stronger emphasis on the Department of State and the Department of Defense coordination and collaboration.

Strengthening this partnership in areas of training, planning, contingency support, transportation, logistics, emergency response, and evacuations is among the Department's highest priorities.

The purpose of the consolidated hard-skills training center is to efficiently conduct security, law-enforcement, and antiterrorism training within the Department of State for the protection of diplomats and U.S. embassies abroad. FASTC will primarily train U.S. Government employees, most of whom work for the Department of State. They will include Foreign Service officers assigned to high-threat posts abroad, DS special agents, and other DS personnel, such as security engineers and technicians. A limited number of police and security professionals from countries that are partner nations in fighting terror will also receive training. FASTC will also be the site for training of personnel from other government agencies assigned to specifically designated high-threat posts to prepare them for those environments.

If confirmed, I am committed to constructing FASTC to maintain and strengthen synergies with our State Department and interagency partners training facilities within a "half-day" driving range from these facilities.

Question. What is your understanding of the role and how the Interagency addresses security needs at facilities where a facility is shared—or is used principally by a U.S. Government agency other than the Department of State? What role do you see for the Assistant Secretary of State for Diplomatic Security in helping to lead the interagency process and forge a coherent interagency approach to these issues?

Answer. The Secure Embassy Construction and Counterterrorism Act of 1999 (SECCA) requires that all newly constructed/occupied overseas U.S. diplomatic facilities possess a 100-foot setback from their perimeter, and that all U.S. Government operations be collocated on one chancery or consulate compound. Any deviation from these SECCA provisions requires a waiver from either the Secretary (all newly constructed chancery and consulate buildings that do not meet SECCA requirements) or the Assistant Secretary of Diplomatic Security (all other requests).

In addition to SECCA's requirements for collocation and setback, security standards are established by the Overseas Security Policy Board (OSPB), an intergovernmental board comprised of representatives from all agencies that operate in an overseas environment under Chief of Mission authority. The Board is chaired by the Department of State's Bureau of Diplomatic Security. It is through these authorities that the Assistant Secretary for DS leads the interagency process on facility security. This process however, involves an interagency approach.

The Department works very closely with the Intelligence Community, Department of Defense, and the National Security Staff. The Assistant Secretary of Diplomatic Security coordinates holistically on security matters and threats facing our embassies. Regular interaction with our interagency partners and Department of State officials, at both the senior and working levels, allows the Department to share information and coordinate on security. Similarly, at every post, the Emergency Action Committee, a group of subject matter experts appointed by the Chief of Mission, meet regularly to discuss threats, emergencies, and manage crises.

For High Threat/High Risk (HTHR) posts, the Department has created a High Threat Review Board to conduct an internal review of the HTHR post list every 6 months. The High Threat Post Review Board will review the U.S. official presence annually, and on an ad hoc basis if required (e.g., if the security environment deteriorates at a post). Critical elements for discussion in the designation process include: the regional bureau's assessment of the political/economic situation, the ability and willingness of the host nation to protect U.S. interests, known and perceived threats against the United States, and the vulnerabilities of U.S. personnel, facilities, residences, and outlying structures.

Question. Recommendation number 23 of the ARB noted that "the Board is of the view that findings of unsatisfactory leadership performance by senior officials in relation to the security incident under review should be a potential basis for discipline recommendations by future Accountability Review Boards, and would recommend a revision of Department regulations or amendment to the relevant statute to this end." We included a provision in the Embassy Security and Personnel Protection Act that aims to satisfy this recommendation.

- ◆ In your estimation, does the Secretary currently have the authority to fire individuals identified to have exhibited "unsatisfactory leadership in relation to a security incident"? Are there additional authorities necessary? How do you view the role of Assistant Secretary for Diplomatic Security in assuring that there is senior-level management accountability and oversight—and responsibility—for security incidents?

Answer. Section 202 of Senate Bill 1386 would provide that unsatisfactory leadership by a senior official with respect to a security incident involving loss of life, serious injury, or significant destruction of property at or related to a U.S. Government mission abroad may be grounds for disciplinary action, and authorizes future ARBs to recommend disciplinary action on this basis. The Department also is amending its internal regulations to provide for disciplinary action based on unsatisfactory leadership by a senior official in relation to such incidents. These provisions will enable the Department to take disciplinary action, up to and including separation, with respect to future incidents of unsatisfactory leadership in relation to a security incident, even in the absence of some other misconduct. It should be noted that career Foreign Service employees receive an automatic hearing on separation before the Foreign Service Grievance Board.

With regards to the ensuring senior leader accountability and responsibility for security incidents, the Assistant Secretary of Diplomatic Security (DS) has a shared responsibility with other senior Department officials to support Chiefs of Mission in protecting U.S. personnel and facilities, exercising judgment to balance U.S. interests and policy priorities, evolving security threats, and mitigation of security risks. Ultimately, the provision of security for the Department lies with the Assistant Secretary of DS. However, that also means instilling a culture of responsibility and accountability within the DS leadership at all levels and better communication within the State Department, including the Regional Bureaus, and also with the interagency, as was implemented following the independent Benghazi Accountability Review Board.

RESPONSES OF CAROLINE KENNEDY TO QUESTIONS SUBMITTED
BY SENATOR BOB CORKER

Question. Our alliance relationship with Japan is one of the strongest and, indeed, the most critical security relationship in the Asia-Pacific. It also is complex and nuanced in ways that are not obvious to the casual observer.

- ◆ How do you propose to navigate the hidden complexities of the bilateral relationship, particularly in light of your lack of foreign policy experience in the region?

Answer. As the United States rebalances toward Asia, our alliance with Japan remains a cornerstone of peace, stability, and prosperity in the region, as it has been for more than 50 years. If confirmed, I look forward to working to advance the interests of the United States, protect the safety of our citizens and strengthen the bilateral relationship for the benefit of both our countries. I will coordinate closely with the Department of State and the interagency to continue our strong partnership with Japan. I will also work closely with the leadership in the U.S. military to further strengthen our bilateral security relationship. I especially look forward to benefiting from the support of the talented Foreign Service professionals and locally engaged staff at our mission in Japan. I will also consult closely with Members of Congress on important issues concerning the relationship between the United States and Japan.

I believe that a key to understanding and operating within a foreign context is to maintain an openness to people and to ideas within that culture while advancing the interests of the United States and the American people. Through meaningful interaction with Japanese officials, civil society, and average citizens, I hope to build a stronger bilateral relationship and partnership between our two countries. If confirmed, I will seek advice and guidance from many quarters to serve my country.

Question. What areas do you see as having the most potential for improvement in our relationship with Japan, and how do you plan on approaching them?

Answer. Japan is an indispensable regional partner in promoting democracy and economic development and in global humanitarian and peacekeeping efforts. These are areas I care deeply about, and if confirmed, I will work to further strengthen this critical partnership at a vital moment in its history.

In addition, I will work to increase exchanges between American and Japanese students, scholars, and citizens, so that future generations will understand our shared history and continue to bind our nations closer. The United States-Japan relationship remains so strong because it stands on the shoulders of our people-to-people ties, and the continued strength and vitality of the United States-Japan relationship will support our efforts to deepen the connections between the people of Japan and the United States. Throughout my career I have worked to expand educational opportunity and empowerment, and I look forward to dedicating myself to expanding exchanges and educational ties between our two countries.

Question. During my visit to Tokyo earlier this year, Prime Minister Abe expressed concern over the effect of sequestration on U.S. security commitments to Japan and about the overall staying power of the United States in the Asia-Pacific.

◆ In your capacity as Ambassador, how do you intend to reassure the Japanese public that Washington will continue to fulfill its security commitments to Tokyo? Are you concerned that the administration's focus on the Middle East will contribute to Japanese skepticism of the U.S. "rebalance" to the Asia-Pacific? Why or why not?

Answer. The stabilizing presence of U.S. forces in the Asia-Pacific region has never been more important than it is today. If confirmed, I will work with the Departments of State and Defense to reassure the Japanese people that the United States stands fast in our obligations under the Treaty of Mutual Cooperation and Security. One way to do this is to continue the close cooperation between the United States and Japan to address common security challenges, both in the region and globally; Japan's contributions to our security alliance, including bases in Japan, are an important component of our shared efforts to promote peace and stability throughout the world.

Japan is an indispensable partner of the United States at international fora such as the United Nations, and in responding to global issues such as the Syria crisis and advancing Middle East peace efforts. I do not believe the "rebalance" is an either/or decision between Asia and the Middle East. The Obama administration's rebalanced approach shows its commitment to work with Japan on the global stage, including in the Middle East.

Question. If confirmed, how will you approach the sensitivities regarding territorial issues in the East China Sea? How should the United States respond to Chinese admonitions that Washington refrain from taking a position on the peaceful resolution of maritime disputes in the East China Sea?

Answer. U.S. policy on the Senkaku Islands has not changed. The United States does not take a position on the ultimate sovereignty of the Senkaku Islands. The Senkaku Islands have been under the administration of the Government of Japan since they were returned as part of the reversion of Okinawa in 1972. As such, they fall within the scope of Article 5 of the Treaty of Mutual Cooperation and Security. The United States calls on all parties to avoid actions that raise tensions and to prevent miscalculations that could undermine peace, security, and economic growth in the region. The United States opposes any unilateral or coercive actions that would seek to undermine Japanese administration. The United States is fully committed to our alliance with and security obligations toward Japan. If confirmed, I will publicly and privately continue to assure the Japanese of our long-standing position.

The administration has engaged in sustained, intensive, and high-level diplomacy with China and Japan on easing tensions in Northeast Asia for many months now. The United States has clearly stated our position to all parties both privately and publicly, most recently by Secretary Kerry while in Japan. The State Department and other agencies repeatedly encourage all parties to adopt a peaceful approach and pursue dialogue with each other to resolve this issue. If confirmed, I intend to continue emphasizing this message. Both Japan and China understand that Northeast Asia is an engine of global economic growth, and miscalculations have the potential to undermine peace, security, and economic growth.

Question. Japan's economic revitalization plan or "Abenomics" includes monetary, fiscal and structural reforms. If confirmed, what role do you expect to play in resolving issues that may arise in the economic relationship between the United States and Japan, including in the context of the parallel bilateral negotiations to TPP?

Answer. Prime Minister Abe has specifically referred to TPP as a key element in his overall "Abenomics" growth strategy, including implementing domestic reforms. TPP is an important economic opportunity for the United States to spur regional growth and expand our exports to Japan as well as throughout the region—this comprehensive and high-standard agreement will benefit the U.S. economy and advance the United States-Japan trade relationship.

The ongoing parallel bilateral negotiations are addressing specific bilateral issues of concern, including those faced by the automotive and insurance industries and their workers. If confirmed, I and the team at the U.S. Embassy in Tokyo will work closely with the U.S. Trade Representative, the State Department, other U.S. Government agencies and the Government of Japan to achieve the strongest outcome from these negotiations. In this and other instances, I intend to play a strong personal role in working with American companies to make sure that the Japanese market is open to them.

Question. In advance of President Obama's visit to Japan in November 2009, there was speculation that he might visit either Hiroshima or Nagasaki, particularly on the heels of his August 2009 remarks in Prague calling for a world without nuclear weapons. Indeed, President Obama has expressed the desire to visit Hiroshima and Nagasaki.

- ◆ Having noted in your testimony that you visited Hiroshima in 1978, would you recommend that President Obama be the first sitting U.S. President to visit Hiroshima and/or Nagasaki? What impact would such a visit potentially have on the credibility of U.S. extended deterrence commitments to Japan?

Answer. As I noted to the committee during my hearing, I was deeply affected by my 1978 visit to the Hiroshima with my uncle, Senator Kennedy. The Hiroshima Peace Park provides an important message to all nations to avoid the horrors of nuclear war. If confirmed, I would be honored to visit Hiroshima and Nagasaki as United States Ambassador to Japan.

Although I do not want to speculate on what specific recommendation I might make to President Obama should he visit Japan in the future, I would consider ways that a Presidential visit could highlight mutual United States-Japan interests in arms control, nuclear disarmament, and nonproliferation. The Japanese people warmly welcomed the President's Prague speech and his call for a nuclear-free world. Nuclear disarmament and nonproliferation are two areas in which Japan and the United States can accomplish much by working together and at the United Nations General Assembly First Committee. Over the past few years, for example, the United States has cosponsored Japan's nuclear disarmament resolution. The United States and Japan also work together in the context of their security alliance, whereby the United States has consistently reassured Japan of U.S. extended deterrence commitments in robust dialogues on this topic.

The United States-Japan commitment to nuclear disarmament in no way diminishes the strength or capacity of the U.S. extended deterrence commitments to Japan, which are a cornerstone of our security relationship.

RESPONSES OF GREGORY B. STARR TO QUESTIONS SUBMITTED
BY SENATOR BOB CORKER

Question. You mentioned during your testimony that the Bureau of Diplomatic Security has procedures for closing embassies that are either attacked or under threat of potential attack.

- ◆ What governs such closure decisionmaking and procedures?
- ◆ Please inform the committee about what the State Department does to ensure mission or facility continuity of operations in the wake of a closure.

Answer. When the widespread closure of about 20 U.S. embassies and consulates occurred in August, we had specific threat information that was credible and noncounterable. In the event we receive such threat information, we weigh these threats against the host government capabilities and willingness, and the state of our facilities and security presence. The decision was made with input from the post on the situation on the ground; the Bureau of Diplomatic Security on security generally, as well as threat analysis; the Bureau of Overseas Buildings Operations on facilities; as well as input from Consular Affairs, the applicable Regional Bureau, Intelligence and Research; Counterterrorism, and other Bureaus, and the Under Secretaries, the Deputy Secretary, and the Secretary of State. We also seek information from the interagency.

In the event that an embassy closes, operations such as routine visa issuance are closed to the public but the essential work that goes on in our embassies continues in many cases. American Citizen Services are still provided, as are emergency visas for medical purposes or death of a family member, etc. The facility is not abandoned. We rarely totally suspend operations, but will do so in a situation where we can no longer operate safely, such as when we ceased operations in Damascus, Syria. We then would make arrangements for one of our allies to serve as the U.S. protecting power so that U.S. interests are protected.

Above all, the safety and security of mission employees is paramount in the conduct of foreign affairs. Certain situations require a mission to reduce the number of employees at the post, including authorized and ordered departures.

Authorized Departure allows for Voluntary Departure of all family members and selected employees, while Ordered Departure requires Mandatory Departure of all family members and designated employees.

An embassy can close to the public, without having an authorized or ordered departure. However, if an authorized or ordered departure is necessary, the post

must plan to keep a sufficient amount of staff available at post to maintain certain operating functions until a decision is made to lift the departure or suspend operations completely. In preparing for a drawdown of mission personnel, the post must ensure the following programs have sufficient resources:

- (1) Security and logistics for the remaining mission;
- (2) Communications with the Department;
- (3) U.S. citizen and other consular services;
- (4) Communication of U.S. foreign policy; and
- (5) Public affairs.

Prior to an emergency and in accordance with the Department's Emergency Planning Handbook, post determines the number of employees for each of the following three categories:

- (1) Current staffing;
- (2) Emergency staffing (to remain under authorized departure); and
- (3) Minimal staffing (to remain under ordered departure).

The Department would be glad to provide more detail on post closures and drawdowns in a briefing.

Question. You mentioned during your testimony that you had either sought or would be seeking additional detachments of U.S. Marine Corps (USMC) guards to supplement Diplomatic Security resources and personnel at volatile posts.

- ◆ How many USMC guards you have been seeking?
- ◆ If you have already made a specific request for additional detachments, what has been their response?

Answer. The Department requested funding to support an additional 35 Marine Security Guard (MSG) Detachments in the FY 2013 Increased Security Proposal. The Department is responsible for providing the housing for the MSGs, constructing "post ones," the command post for the MSG and equipping "post ones." With the support of the Marine Corps, we will have three new MSG detachments activated by September 30, 2013, and are working with the Marines to have the remaining detachments activated by the end of FY 2014. In addition, the U.S. Marine Corps has been sending extra guards to augment the existing detachments at some high-threat posts. The U.S. Marine Corps is working to identify and train more Marines for this program and our efforts have been closely coordinated.

Question. You mentioned during your testimony that Diplomatic Security provides a 10-week program for relevant training.

- ◆ Is Diplomatic Security providing, or planning to provide, any additional training for agents who are tasked with high-risk, high-threat posts, or does the baseline training program already offer this specific training?

Answer. Based on the Benghazi Accountability Review Board (ARB), a panel of Senior and Supervisory Diplomatic Security (DS) Special Agents was established to revise high-threat training and raise the standards for the High-Threat Tactical Course (HTTC). From January to March 2013, the panel worked in conjunction with the Diplomatic Security Training Center to develop over 170 enhanced operational requirements and associated proficiency levels needed for high-threat environments. Training plans based on these operational requirements were created and approved for DS Special Agents at the basic-, mid-, and executive-level.

A new High-Threat Training Strategy was approved on May 15, 2013. The training strategy envisions a career-long cycle of high-threat operations-related instruction and ensures that all DS Special Agents receive an increased level of training to support Department objectives in high-threat, high-risk areas.

The training strategy calls for three new, intensive high-threat training courses for basic-, mid-, and senior-level agents permanently assigned, or going TDY to any of the designated high-threat, high-risk posts. The foundation of these three courses is the new 10-week High Threat Operations Course (HTOC), which will replace the former 5-week High Threat Tactical Course (HTTC). Additionally, a new 4-week High Threat Operations Mid-Level/In-Service Course (HTOC-IS), and new 4-week High Threat Operations Executive-Level Course (HTOC-EX) have been developed.

Further, fundamental high-threat precepts and orientations are now included in existing basic and in-service training courses: Basic Special Agent Course (BSAC), Basic Regional Security Officer (BRSO), Regional Security Officer In-Service (RSO-IS), Special Agent In-Service (SA-IS), and the Basic Field Firearms Officer Course (BFFOC). The integration of high-threat material across multiple levels of DS training acknowledges that threats are not limited to high-threat, high-risk areas and better prepares DS Special Agents to function effectively if called upon to provide emergency support. Furthermore, it provides an introduction to material that will

support DS personnel who may later attend the new operations-specific courses. Overall, the strategy is a long-term plan that will replace previous High-Threat Tactical Courses by approximately 2018.

- ◆ Does Diplomatic Security conduct periodic assessments of the effectiveness of its current 10-week program?

Answer. DS plans to conduct periodic reviews of the new high-threat training. Not only will the 10-week High Threat Operations Course, 4-week High Threat Operations Mid-Level/In-Service Course, and the High Threat Operations Executive-Level Course have student and instructor feedback assessments as part of each individual iteration, but the Diplomatic Security Training Directorate in conjunction with the newly established Directorate for High Threat Programs will be conducting an overall review of course effectiveness in April 2014 (following the first two iterations) and again in October 2014 (after 1 full year of delivered coursework). The goal of these reviews will be to answer whether or not DS is meeting its established goal of achieving operational proficiency in 170 enhanced operational requirements. Following these evaluations, recommendations will be delivered to the Assistant Secretary for Diplomatic Security for any necessary additions or deletions from the curriculum.

- ◆ What was the cost of Diplomatic Security for fiscal years 2004–2013?

Answer. The total cost of the relevant high-threat agent training during fiscal years 2004–2013 was \$37.8 million dollars.

Question. Please describe, in your own words, what you think it means for a government official to be held accountable for poor decisionmaking.

Answer. Accountability means taking responsible measures before things happen. Accountability includes being the advocate for security within the Department and as part of the interagency process overseas. Accountability means working with the Regional Bureaus, overseas posts, and the interagency to ensure that a pragmatic balance is struck between security and the need to carry out the diplomatic mission of protecting America's National Security. Accountability also means that if, despite our best efforts, there is a security failure, that the Assistant Secretary of Diplomatic Security takes responsibility and that we all work to learn lessons that can help us prevent similar failures in the future. While risk can never be completely eliminated from our diplomatic duties, regardless of the threat level, we must always work to mitigate it.

Question. Do you think the standard for accountability should be one of gross negligence or a lesser standard? Should be different in a situation where there has been loss of life?

Answer. First and foremost, it should be clear that the Department believes that no one should be excused for gross negligence. Leaders at all levels of the organization should take both responsibility for the duties of their position, and they should be held accountable for the decisions they make. It is also clear that we can never truly eliminate all risks faced by U.S. Government personnel as they advance our national interests abroad. We can only seek to mitigate those risks to the extent possible. Despite our best efforts, we may still suffer losses of our diplomats overseas. Our recent decision to temporarily suspend operations at about 20 of our embassies and consulates demonstrates the steps we are willing to take to ensure the safety of our personnel abroad.

Question. During the recent attacks on the U.S. facilities in Herat, Afghanistan, please describe the safeguards, including host nation protection, that were in place that prevented the attack from successfully taking U.S. casualties.

Answer. The security elements of the U.S. consulate in Herat are supervised by the Regional Security Officer and are comprised of Diplomatic Security Special Agents, Security Protective Specialists, Security Engineers, and a private security contract force of Americans, third country nationals, and locally employed Afghan nationals. Outer perimeter security is augmented by a small contingent of Afghan National Police who were present at the time of the attack.

Safeguards protecting the consulate included an increased setback from the main highway which provides additional protection for the main access control point from a potential improvised explosive device blast. A setback waiver was originally processed for Herat in March 2011. The consulate building has ample setback on the south side of the property, the side that was attacked. Setbacks on the remaining sides of the property were less than the 100-foot requirement, and therefore granted a waiver. Through the field expedient mitigation efforts, setback was effectively increased on these three sides.

The Regional Security Officer regularly conducts drills with the entire consulate community, and recently conducted a joint evacuation drill with U.S. military and Afghan participation. Physical security safeguards at the consulate include: first floor Forced Entry Ballistic Resistant (FE/BR) windows and doors; surface mounted antivehicle planters along the outer perimeter; and steel plates on outer walls to form anticlimb surfaces. In addition, there are antiramp drop arm barriers at the outer perimeter, which prevented the vehicle borne improvised explosive device (VBIED) from reaching the Compound Access Control facility and barriers on September 13.

Question. What, if any, were the security waivers that were granted for the U.S. facilities in Herat?

Answer. On March 30, 2011, a waiver for the Secure Embassy Construction and Counterterrorism Act of 1999 (SECCA-Public Law 106-113) statutory requirement for setback of U.S. Consulate Herat was granted.

Question. Was there any U.S. military response to the attacks? If so, approximately how long after the attack started did the U.S. military response arrive?

Answer. On September 13, 2013, at approximately 0532 local hours, insurgents conducted a complex attack against the U.S. consulate in Herat. For approximately the next 35 minutes, Diplomatic Security (DS) Agents, Security Protective Specialists, and security contractors engaged and neutralized the threat. At 0655, the first U.S. military units arrived at the consulate to augment the consulate guard force, establish a cordon around the facility, and conduct a search of the consulate grounds.

Question. Approximately how long after the attack started did the Afghanistan National Police (ANP) and Security Forces (ANSF) arrive on the scene?

Answer. Afghanistan National Security Forces personnel arrived at the scene at 0558, approximately 26 minutes after the attack was initiated.

Question. When the ANP and ANSF arrived, were the attackers still engaged in their attack?

Answer. Responding Afghanistan National Security Forces reported receiving fire from insurgent positions located across the road from the consulate when they first arrived on scene.

Question. Were any of the Afghan casualties a result of friendly fire and if so, how many?

Answer. No, there were no friendly fire casualties.

RESPONSES OF ANNE PATTERSON TO QUESTIONS SUBMITTED
BY SENATOR BOB CORKER

Question. A recently released Zogby International poll found that 65 percent of Egyptians believe that the United States was too supportive of President Morsi, and 82 percent of Egyptians believe that U.S. policy toward Egypt under President Morsi was harmful to Egypt. Another 62 percent believe that the United States has little or no understanding of Egypt and the Egyptian people.

◆ What went wrong with our policies toward Egypt to create such strong negative views? How can we correct these policy failures?

Answer. Polling data stretching back many decades have consistently reflected Egyptian mistrust of U.S. policy and intentions in Egypt and in the region. Egyptians express similar sentiments about most other Western countries. In recent years, polls have also reflected deep dissatisfaction with Egypt's successive leaders, including the Mubarak, Supreme Council of the Armed Forces (SCAF) and Morsy governments. Our widely reported role in convincing President Mubarak to leave office has fueled speculation that the United States has been a force behind every subsequent government. In fact, we have been attacked by all sides in Egypt, alternatively being accused of supporting the Muslim Brotherhood or organizing its removal from power on July 3.

Our policy in Egypt has been premised on the need to protect core U.S. interests in the region, including its implementation of the Peace Treaty with Israel, countering terrorism, promoting a more inclusive, democratic Egypt that reflects the will of the people, and encouraging fundamental economic reform. We will continue to support Egypt's democratic transition, offering our partnership on the Egyptian people's priorities.

Where possible, we will continue and expand outreach programs and exchanges, including programs to help prepare young Egyptians for the jobs and the economy of the future. We will also support Egyptian Government efforts to undertake needed economic reforms and fight corruption. I believe that views of the United States will begin to realign as Egyptians begin to experience the benefits of democracy, development, and open markets. If confirmed, I will work with our Ambassador and Embassy in Cairo to underscore our support for, and shared goals with, the Egyptian people.

Question. The media—especially Western media—has focused on the situation in Egypt as a fight between the military and the Muslim Brotherhood disregarding—or at least not analyzing deeply—the opinions of the millions of people that turned out, nationwide, in the streets to protest the undemocratic actions of the Muslim Brotherhood.

◆ How does the United States take into account the views of the Egyptian citizens? Where do the opinions of the Egyptian public fit into U.S. policymaking?

Answer. Following the July 3 events in Egypt, President Obama clearly articulated the United States support for a set of core principles—opposing violence, protecting universal human rights, and meeting the legitimate aspirations of the Egyptian people. We also acknowledged the role of public opinion leading up to the events of July 3.

As Ambassador, I regularly met with a wide range of Egyptian society, including political groups and parties, business leaders and civil society organizations to better understand their desires, motivations, and aspirations for their country. We heard substantial criticism of the Morsy government as well as the growing sense of personal and economic insecurity that Egyptians have faced in recent years. Secretary Kerry devoted substantial effort during his first visit to Cairo last March to talking with Egyptian civil society, business and government leaders about these problems.

If confirmed, I will continue to work with our Ambassador to Egypt to ensure that we solicit a broad range of views from the Egyptian public on the direction of Egypt's transition to democracy, using these views to identify our priorities for assistance and engagement.

Question. Libya is at its most violent and precarious state since the conflict that toppled Gaddafi. Foreign investors are now growing wary as security costs stifle business growth.

◆ What specifically can the U.S. Government do to help make Libya a safe place to do business, particularly in the neglected eastern part of the country?

Answer. Libya seeks to enter the global economy and community of democracies after 42 years of isolation under Qadhafi. Improved security is a precondition to expanded trade and investment in Libya. If confirmed, I plan to make Libya one of my top priorities. Since the revolution, the United States has provided the Libyan Government with targeted technical assistance in a number of critical areas to help establish security sector institutions appropriate for a democratic state and to develop the capacities needed to control loose weapons, counter terrorism, and improve border security management.

We responded positively to a request this spring from Prime Minister Ali Zeidan that we help train a new, professional General Purpose Force which could form the core of a new Libyan Army. We are still working out the details of the arrangement, but the cost will be fully paid by the Libyan Government. Moreover we are working together on a \$14 million border security program to assess, train, and equip Libyan border security forces in securing and management of their land borders and points of entry (POE) including land, sea, and air. We are particularly focused on programs intended to prevent proliferation of weapons of mass destruction.

Additional targeted assistance includes support for professionalization of security and justice sector institutions, including the police, demobilization and reintegration of militias, detention and prison reform, control of conventional weapons, and chemical weapons destruction.

Question. What is the Department of State currently doing to help the vetted, moderate opposition in Syria, and what do you plan to do with such programs if confirmed?

Answer. Over the last 2 years, the United States has committed to providing a total of \$250 million in nonlethal support to the Syrian Opposition Coalition (SOC) and the Supreme Military Council (SMC). Of this assistance, approximately \$167 million has been obligated to support the following lines of effort, while the remain-

der will be notified to Congress shortly. Assistance already obligated and expended includes:

- Approximately \$90 million in small grants and in-kind assistance to support the SOC, Assistance Coordination Unit (ACU) and Local Councils' ability to provide basic services for impacted communities. Examples of support include over \$2.5 million in grants to 15 local councils and civil society organizations to be able to respond to community needs and improve governance in liberated areas. In addition, the Liberated Areas Initiative is providing \$10 million worth of generators, cranes, trucks, ambulances, and water bladders to areas under opposition control. This support is designed to increase the linkages between local and national-level opposition groups and improve service delivery and governance in areas under opposition control.
- Approximately \$26.6 million in nonlethal equipment to the SMC to enhance its logistical capabilities on the battlefield. We have provided 330,000 MREs, 529 medical kits, and over 3 tons of surgical and triage medical supplies to support field clinics. Over the next several months we plan to deliver additional equipment consisting of vehicles, satellite access equipment, laptops, radio communication equipment, and medical kits.
- Approximately \$26 million in training and equipment for civil society groups and local councils to help build the capacity of nearly 1,500 grassroots activists, including women and youth, from over 100 opposition councils and organizations to mobilize citizens, share information, provide community services, and undertake civic functions.
- Approximately \$9.5 million in support for independent media, including assistance to community radio stations providing information for refugees about available services; training for networks of citizen journalists, bloggers, and cyber activists to support their documentation and dissemination of information on developments in Syria; and support to enhance the information and communications security of activists within Syria.
- Approximately \$9 million for support of interreligious and communal dialogues, encouraging citizen participation in shaping the Syrian transition and supporting human rights documentation and transitional justice efforts to lay the foundation for future accountability efforts.
- Approximately \$5 million in equipment, training, and stipends for local police and judges in opposition-controlled areas. This assistance includes efforts to help local communities maintain public safety, extend the rule of law and enhance the provision of justice to improve local stability and prevent sectarian violence.

This assistance is in addition to the now \$1.3 billion in total U.S. humanitarian assistance for the Syrian people. In addition to our efforts to aid the Syrian opposition, the United States remains the single largest contributor of humanitarian assistance for the Syrian people.

If confirmed, I plan to continue providing assistance—with the goal of reducing delivery times—to support the Syrian opposition both from the top-down by supporting national groups like the SOC and SMC as well as from the bottom-up by strengthening capable local councils and civil society groups in Syria. This strategy is helping build an ethnically and religiously diverse network at the national and subnational level. I plan to work closely with the committee on these issues.

U.S. assistance remains a crucial component of our multidimensional campaign to support a peaceful political transition in Syria, and the emergence of a stable, responsible government.

Question. How is the conflict in Syria affecting what is seen as a larger conflict between Sunni and Shia states?

Answer. The Asad regime has worked to stoke sectarian divides and many among Syria's minority communities, including Alawis, Druze, and Christians, now fear what the future holds. The Sunni majority is divided, fractious, and likewise anxious about its role, as it seeks to assert the rights long denied them by the Asad regime. Some factions are using these divides to position regional players against one another, working to lure in Saudi Arabia and Qatar on one side and Iran and Iraq on the other. The complexity of this conflict, and particularly its regional dimensions, makes it clear that there can be no military solution for the conflict. A negotiated transition, as laid out in the Geneva Communiqué, is the only way to resolve this conflict and put an end to the devastating loss of life. If confirmed, I will continue the administration's work with the U.N. and the international community to bring both parties to the negotiating table.

RESPONSES OF CAROLINE KENNEDY TO QUESTIONS SUBMITTED
BY SENATOR BENJAMIN L. CARDIN

Question. On May 30, 2009, the Japanese Ambassador to the United States, Ichiro Fujisaki, delivered in person a long-sought formal and official apology to the former American POWs from the Japanese Government. In September 2010, Japan's Foreign Ministry initiated a visitation program to Japan for American former POWs and their families. The many Japanese companies that used the POWs as slave labor in their mines, factories, and on their docks have never, however, acknowledged the POWs nor apologized. There have been three visits of seven former POWs or family members. The fourth program will be this October. Japanese politics and budgets threaten to end this program of reconciliation and friendship.

◆ How do you plan to encourage the Japanese Government to continue the POW visitation program and to encourage Japanese companies to follow their government's example of contrition? It goes without saying the members of America's Greatest Generation will not be long among us.

Answer. I echo your praise of former American Prisoners of War (POWs). Their contributions and heroism should never be forgotten or minimized. The U.S. Government appreciates the Japanese Government's words and actions to express remorse for the treatment of American POWs, especially the yearly visit invitations to POWs to Japan. I am aware that several Japanese companies have expressed contrition to U.S. POWs, and many have welcomed meetings with the POWs in an attempt at healing and reconciliation. If confirmed, I will continue efforts to build friendship and trust between POWs and Japan, while cognizant of the fact that the declining number of POWs and their poor health makes future trips to Japan challenging. I will emphasize that reconciliation will not only help to ease the suffering of the POWs, but also will promote healing within Japanese society.

RESPONSES OF GREGORY B. STARR TO QUESTIONS SUBMITTED
BY SENATOR BENJAMIN L. CARDIN

Question. I recently visited China, Korea, and Japan, and although those missions certainly have different physical security needs than high-threat posts, there is a keen interest in ensuring adequate language capabilities for their personnel. This is especially true in China.

◆ Can you explain the importance of, and your priorities for, language training for our security personnel?

Answer. The Bureau of Diplomatic Security (DS) has made significant strides in increasing language abilities over the past several years. DS endeavors to ensure DS agents have sufficient time to learn the language they will need when required for overseas posts. It takes up to 2 years or more in some "hard" and "super-hard" languages like Mandarin to become proficient enough to carry on an in-depth conversation with counterparts. Unfortunately, DS sometimes must send someone to post without the necessary language skills when the security conditions at post require the immediate dispatching of personnel and such language skills are not essential to the performance of duties.

In early 2014, the Director General of Human Resources will request that all Foreign Service positions be reviewed as part of the "triennial language review" process. At that time, DS will make adjustments to positions that may need to have language requirements changed—either increased or decreased.

DS is committed to ensuring that positions that require hard languages, such as Chinese and Arabic, are filled with DS Agents qualified to speak that language.

Question. The Bureau of Diplomatic Security is responsible for defending the Department of State's global network of information technology systems and information assets. The Embassy Security bill which the Senate Foreign Relations Committee passed rightly addresses our physical security needs; however, our cyber security posture in is increasingly under attack. In China, for example, our consulate's social media page was shut down by the Chinese Government, and the Chinese also heavily monitor cell phone and other communications.

◆ Please describe the Department's strategies for defense against network intrusion and other cyber threats.

◆ How are we working to improve our cyber security posture abroad?

Answer. The Bureau of Diplomatic Security (DS) coordinates closely with the Bureau of Information Resource Management (IRM) and other offices to protect the Department's global network of information technology systems and information assets. DS has established a comprehensive "defense-in-depth" cyber security pro-

gram which enables the Department to detect, react, analyze, and respond to sophisticated malicious cyber activity from foreign intelligence services and computer criminals. DS provides this operational security capability through an interdependent set of cyber security teams, tools, and programs including network intrusion detection, compliance verification, vulnerability assessment, pen testing, incident handling, threat analysis, and the Regional Computer Security Officer Program. This fully integrated program capability enables rapid coordination and action on a number of issues involving global cyber threats and network security vulnerabilities.

In functional terms, the DS programs addresses cyber threat issues as follows:

- The Network Monitoring Center maintains a 24/7 watch on the Department's global network traffic checking for anomalous and/or suspicious activity and reports on events.
- The Computer Incident Response Team (CIRT) reviews events and keeps operational managers, law enforcement and US-CERT informed about incidents and coordinates incident response actions with all stakeholders.
- The Cyber Threat Analysis team delivers daily and topical all-source reports on pressing threat issues and works closely with LE and CI agencies to develop a comprehensive threat picture and remediation measures. This unit also performs proactive penetration testing and network forensic analysis to detect and resolve major threat issues.
- Regional Computer Security Officers (RCSOs) are the Department's "boots on the ground" performing cyber security assessments at overseas sites and reporting findings to DS.
- DS also works closely with the Department's virus detection and other security programs to stay abreast of any problems affecting the confidentiality—integrity—availability of the Department's networks.

In addition, DS uses its expert cyber security teams to address and improve the Department's cyber security posture abroad through these initiatives:

- Providing customized cyber security support to the Secretary and other senior officials during major diplomatic events;
- Detailing DS personnel full-time to other federal cyber security operations centers to ensure the timely sharing and analysis of threats, cyber intelligence, and technical developments. This includes DS personnel assigned to:
 - National Security Agency /Central Security Service Threat Operations Center (NTOC);
 - Department of Homeland Security's US-Computer Emergency Readiness Team (US-CERT);
 - DS Special Agent assigned to the Federal Bureau of Investigations National Cyber Investigative Joint Task Force (NCIJTF).

DS can provide a briefing in an appropriate setting that will provide a fuller understanding of the threats affecting the Department and our cyber security program's ability to mitigate risk.

RESPONSES OF ANNE W. PATTERSON TO QUESTIONS SUBMITTED
BY SENATOR BENJAMIN L. CARDIN

Question. Secretary of State Kerry has facilitated the resumption of substantive negotiations between Israel and the Palestine Liberation Organization (PLO) in Jerusalem in mid-August at the negotiator level. Many observers are skeptical that the negotiations will lead to meaningful resolution on core issues of the dispute, citing ongoing turmoil in neighboring states as one of many factors influencing both parties' domestic constituencies away from substantive compromise. Some observers have asserted that time may be running out for a two-state solution.

- ◆ What are your expectations for Israeli-Palestinian negotiation over the next few months? How likely is an Israeli-Palestinian resolution on core issues of dispute? What are the main signs of hope and the main obstacles?

Answer. Thus far negotiations between the two sides have been substantive and serious. The parties have engaged on the core issues in good faith and we expect that to continue in the months ahead. But we do not expect that we will be announcing any major breakthroughs, both because the parties have agreed to keep the content of their discussions private and because, as has been the case in the past, the basic premise of the negotiations is that nothing is agreed until everything is agreed.

We remain optimistic because in Prime Minister Netanyahu and Palestinian President Abbas, we believe we have two leaders who are serious about pursuing peace. Both leaders have stepped up to resume negotiations despite significant domestic political pressure, and we don't believe they would have paid that political price if they were not serious about following through.

We know that this will not be easy and that the negotiators will need to make difficult compromises on issues that have created major obstacles in the past. They will also face skeptical publics and numerous spoilers on both sides who will try to sabotage any progress. However, we believe that with courageous and bold leadership of the parties, and the commitment by Secretary Kerry and President Obama to peace, these challenges can be overcome. I know Ambassador Indyk is happy to come up and brief you in further detail on this very important subject.

Question. What are we doing to help Israel maintain and enhance its qualitative military edge?

Answer. As President Obama stated during his March visit to Israel—and several Israeli leaders have reiterated—the security relationship between the United States and Israel has never been stronger. We continue to ensure that Israel maintains its Qualitative Military Edge so that it can counter and defeat any credible threat from any state, coalition, or nonstate actor. This is the cornerstone of the United States-Israeli security relationship.

Through both our government-to-government Foreign Military Sales program and Direct Commercial Sales, we are able to provide Israel with advanced defense articles and services available only to our closest allies and partners.

Additionally, we have strengthened our military-to-military cooperation with Israel and now conduct more joint exercises and exchanges of our political, military, and intelligence officials than ever before.

We are in the fifth year of a \$30 billion, 10-year MOU with Israel on Foreign Military Financing (FMF). In FY 2013, Israel received just under \$3 billion in FMF funds, slightly lower than MOU levels, due to sequestration. Additionally, the United States has separately funded development of several Israeli missile defense programs, including the Iron Dome rocket defense system, which helped defend Israeli communities against rockets launched from Gaza by Hamas and other terrorist groups in November 2012.

In April 2013 the United States announced it would make available to Israel a number of new advanced military capabilities, including antiradiation missiles and advanced radars for its fighter jets, KC-135 refueling aircraft, and most significantly, the V-22 Osprey, which the United States has not released to any other nation. When combined with the Joint Strike Fighter and major advances in our cooperative missile defense efforts (e.g., Iron Dome, Arrow Missile Defense Systems), these capabilities will ensure Israel's qualitative military edge and air superiority for decades.

Question. What is the timetable for concluding a new Memorandum of Understanding with respect to security assistance to Israel?

Answer. Our current 10-year, \$30 billion MOU expires at the end of fiscal year 2018. As part of our long-term commitment to Israeli's security, President Obama announced during his March visit to Israel that the United States would begin discussions with Israel on how we will extend assistance for the years beyond the current MOU.

At the President's direction, we and the Israelis have already begun discussions about an MOU for the period beyond FY 2018, given Israel's security needs and the complex technical issues involved. These discussions between our two governments are at an early stage and are ongoing. As the talks progress, we will consult closely with members of this committee.

Question. As you know, in Geneva, unlike in New York, Israel is not a part of any regional grouping. It will take a significant amount of U.S. effort and support to get Israel included in the Western European and Others Group (WEOG) in Geneva.

♦ Will you commit to making such an effort in Geneva, as we did in New York? In your opinion, what can be done to ensure that Israel is treated more fairly at the U.N.?

Answer. Normalizing Israel's participation across the U.N. and ending its institutionalized unfair treatment in Geneva remains a top priority of this administration and of mine.

If confirmed, I will support the continuing work to promote full and equal Israeli inclusion in international bodies, including the consultative groups in the U.N. sys-

tem that act as organizing venues for determining candidates and coordinating policy approaches.

The United States has helped gain Israeli membership in the Western Europe and Others regional group (WEOG) for several U.N. committees in New York, and the ultimate goal is Israeli membership in all WEOG groupings, including in Geneva. The United States believes it is essential for Israel to be included, as it is the only country not to belong to a regional group in Geneva, and I share that belief.

If confirmed, I will support my colleagues in coordinating closely with Israel and with WEOG members to press for Israel's membership in the group.

Further, as I did as Deputy PermRep in New York when I worked closely with the Israeli delegation, I will support the administration's continuing efforts to normalize Israel's status at the United Nations, including vigorously opposing one-sided, biased resolutions, fighting efforts to delegitimize Israel, and supporting Israel's positive engagement with the UN. I will also work with my colleagues to explore new opportunities for Israel to engage in the U.N., whether it is supporting the participation and selection of Israelis for leadership roles in U.N. programs and agencies, or backing Israeli initiatives at the General Assembly, like this year's entrepreneurship resolution.

RESPONSES OF CAROLINE KENNEDY TO QUESTIONS SUBMITTED
BY SENATOR MARCO RUBIO

Question. What is your assessment of the Asia pivot/rebalance and its effect on United States-Japan relations?

Answer. I believe President Obama made a strategic commitment to rebalance our interests and investments in Asia. As a Pacific nation that takes our Pacific partnership seriously, the United States will continue to build on our active and enduring presence in the region. Secretary Kerry has traveled to the region twice since assuming office and will be traveling to Asia again in early October, underscoring his commitment to the rebalance and to close ties in the region.

The specific objectives of the rebalance are to strengthen U.S. treaty alliances, deepen economic and political partnerships in Asia, increase trade and investment, and promote democratic development. People-to-people engagement underpins all of these goals.

The United States-Japan alliance is the cornerstone of U.S. security interests in Asia and is fundamental to regional stability and prosperity. The United States and Japan are committed to promoting peace and stability—both regionally and globally.

The rebalance represents comprehensive engagement in the region, including trade and investment ties. The Trans-Pacific Partnership (TPP) is the economic centerpiece of the rebalance, and a critical initiative to promote U.S. exports, growth, and jobs. Japan is an important partner in the ongoing TPP negotiations. If confirmed, I will coordinate closely with USTR, the Department, and the interagency, as appropriate, to work with Japan to achieve a high standard, comprehensive agreement and meet the TPP Leaders' goal of concluding the negotiations this year.

I would like to reiterate the importance of people-to-people ties. If confirmed, I will work to invigorate educational and cultural exchanges in order to enhance understanding and affection between the Japanese and American peoples. These grassroots ties benefit both our nations tremendously, as an important investment in even closer partnership and cooperation with Japan into the future.

Question. What new measures would you take to encourage greater trilateral United States-South Korea-Japan security cooperation? Do you agree that such cooperation strengthens U.S. interests in the Asia-Pacific region?

Answer. The United States treaty alliances with Japan and the Republic of Korea (ROK) have been the foundation for peace, stability, and prosperity in Asia for decades. The United States shares with these two allies many strategic interests: improving regional security and stability, fostering economic prosperity and open trade, and promoting our shared values of democracy and the rule of law. Increased trilateral cooperation not only strengthens U.S. interests, but also benefits Japan, the Republic of Korea, and the rest of the Asia-Pacific region.

Our three countries meet regularly at senior levels in a trilateral format and enjoy close cooperation on a wide range of regional and global issues, particularly on North Korea. The United States, Japan, and the ROK seek the denuclearization of the Korean Peninsula and are working together to stress to North Korea that it must abide by its commitments and comply with relevant U.N. Security Council resolutions, which obligate it to denuclearize, among other things. The three countries are actively strengthening efforts to reinforce regional mechanisms including

ASEAN, the ASEAN Regional Forum (ARF), and the East Asia Summit (EAS) and working to strengthen cooperation on counterpiracy, disaster response, maritime security, and peacekeeping. In addition to cooperating on Middle East issues, all three countries are actively providing assistance toward the humanitarian crisis in Syria.

If confirmed, I will make it a priority to continue and expand United States-Japan-Republic of Korea trilateral cooperation.

Question. Given the pattern of increasingly aggressive harassment and incursions by Chinese aerial and naval assets into Japanese-administered territory, what will you personally do to reassure the Japanese Government and public about the steadfastness of American commitments to Japan's security?

Answer. The United States is fully committed to our alliance with and security obligations toward Japan. If confirmed, I will publicly and privately continue to assure the Japanese of our longstanding position. In terms of specific territorial issues between China and Japan, U.S. policy has not changed: the United States does not take a position on the ultimate sovereignty of the Senkaku Islands. We call on all parties to avoid actions that raise tensions and to prevent miscalculations that could undermine peace, security, and economic growth in the region. The Senkaku Islands have been under the administration of the Government of Japan since they were returned as part of the reversion of Okinawa in 1972. As such, they fall within the scope of Article 5 of the Treaty of Mutual Cooperation and Security. The United States opposes any unilateral or coercive actions that would seek to undermine Japanese administration.

But I would note that the administration has engaged in sustained, intensive, and high-level diplomacy on easing tensions in Northeast Asia for many months now. The State Department and other agencies repeatedly encourage all parties to do the same and to pursue dialogue with each other to resolve this issue. If confirmed, I intend to continue emphasizing this message. Both Japan and China understand that Northeast Asia is an engine of global economic growth, so of course we are very concerned that miscalculations have the potential to undermine peace, security, and economic growth.

And I will continue to remind the Japanese that the United States-Japan alliance is the cornerstone of our Asia-Pacific strategy, and our shared values and ideals provide a broad scope for bilateral cooperation with a global reach. Japan and the United States also share common objectives in working with China on a wide array of issues, including increasing military transparency, strengthening rule of law, making progress toward denuclearization of the Korean Peninsula, combating climate change, and strengthening the protections for intellectual property.

Question. In May 2013, the Japanese Diet approved Japan's accession to the Hague Convention on International Child Abduction, an important and commendable step that could lead to Japan's ratification and implementation of the Convention by March 2014. I have been assured by Japanese officials that ratification of the Convention would immediately cover existing cases of parental abduction as far as the rights of left-behind-parents to visit their abducted children. However, I am deeply concerned that implementation of the Convention does not seem to protect left-behind-parents' rights to see their children returned to the country in which he/she habitually resided.

◆ What steps would you take to work with Japanese officials in finding a compassionate solution to these cases?

Answer. The United States Government looks forward to Japan's ratification of the Hague Abduction Convention. One of the Department's highest priorities is the welfare of U.S. citizens overseas. This is particularly true for children, who are our most vulnerable citizens and who cannot speak on their own behalf.

As a parent, I am deeply concerned about those children not covered by the Hague Convention. The left-behind parents, of course, want to know what the U.S. Government is doing specifically to help their cases when the Convention is not an option for them to seek their child's return. In those cases, options for seeking the return of a child are far more limited, thus underscoring why Convention membership is critical as we move forward.

If confirmed, I will work hard to resolve the existing cases of international parental child abduction to Japan by raising this important issue through diplomatic channels and continuing to use every appropriate opportunity to raise all existing cases with the Japanese Government. I will reexamine efforts taken in the past and discuss views with Japanese officials in order to try to develop a workable approach to resolving this important issue.

The Department of State currently works closely with these parents to provide information about domestic and foreign resources that may help parents to resolve their children's cases. Department officials raise individual cases with foreign governments, requesting through diplomatic channels that they return abducted children to the United States. They assist parents to obtain access, confirm their children's welfare, and understand their options. The Department monitors legal proceedings as the cases unfold in the court, attends hearings when appropriate, engages child welfare authorities, advocates for consular and parental access, coordinates with law enforcement authorities when parents choose to pursue criminal remedies, and works day-to-day to explore all available and appropriate options for seeking the children's return to their countries of habitual residence.

RESPONSES OF ANNE W. PATTERSON TO QUESTIONS SUBMITTED
BY SENATOR MARCO RUBIO

Question. Please clarify the administration's understanding of the specific violations and timelines that would trigger the use of military force in Syria under the September 14, 2013, bilateral agreement with the Russian Federation.

Answer. The Geneva Framework for Elimination of Syrian Chemical Weapons specifies a target date by which the Syrian regime is to submit a comprehensive listing, including names, types, and quantities of its chemical weapons agents, types of munitions, and location and form of storage, production, and research and development facilities. The Framework also sets target dates for the completion of initial inspections by the Organization for the Prohibition of Chemical Weapons (OPCW), the destruction of production and mixing/filling equipment, and the complete elimination of all chemical weapons material and equipment. The Framework also stresses that Syria must provide the OPCW, the U.N., and other supporting personnel with the immediate and unfettered right to inspect any and all sites in Syria.

The Framework does not specify that missing these target dates or other violations of the Framework would automatically trigger United States use of force. However, the President has said that the credible threat of the use of force is important both in maintaining pressure on the regime and as a means of holding the regime accountable for its use of chemical weapons against its own people.

Question. Upon announcing the agreement with Russia, Secretary Kerry was confident in the possibility of getting access to Syria's chemical weapons, because the Syrian regime had maintained area and access control to these weapons.

- ◆ Please explain how the administration would prioritize between supporting the opposition's ability to pose a credible challenge to the Assad regime versus the regime's desire to maintain unchallenged control and authority over Syrian territory.

Answer. We believe that a negotiated political agreement, rather than a military solution, is the preferred outcome of the conflict in Syria. A negotiated political agreement provides the opportunity to separate the regime from the institutions of the Syrian state—institutions that are key to ensuring national stability into the future. Yet the Assad regime is unlikely to negotiate political compromises without feeling genuine pressure on the battlefield.

The regime has lost control over substantial portions of Syria, but we do not believe it is yet ready to engage seriously in negotiations. Therefore we and partner countries are increasing our support to the Syrian opposition.

Question. U.S. law requires the suspension of our direct foreign assistance to "the government of any country whose duly elected head of government is deposed by military coup d'etat or decree in which the military plays a decisive role."

- ◆ In your opinion, does the removal of President Morsi on July 3 in Egypt constitute a coup under this definition?

Answer. We appreciate the complexity of the situation, but we do not believe it is in our national interest to make a decision as to whether the events of July 3 in Egypt were a coup. Following the events of July 3, the President directed a review of U.S. assistance to Egypt to reflect our top priorities; that review is ongoing.

The interim government announced a roadmap that it says will conclude in the seating of a democratically elected civilian government. This roadmap includes a constitutional amendment process conducted by two government-appointed committees, culminating in a national referendum. We have made clear to the interim government that this process should be fully inclusive and that the constitution should respect the universal rights and freedoms of all Egyptians. We also continue to

make clear the importance of holding inclusive, free and fair elections for an early transition to a representative, democratically elected, and civilian-led government. We will support robust observation of those elections so that we can assess their fairness.

Our response to the situation in Egypt will be in line with our values and our national interests. Maintaining flexibility to influence changing events on the ground in a better direction will be critically important. We will urge the Egyptian Government toward an inclusive, civilian-led, democratic transition. As the President and Secretary have said, we want to see Egypt's transition succeed, and we support a path for a stable, democratic, and prosperous Egypt.

Question. What was your message to General el-Sisi and other military leaders in the runup to the events of July 3? Did you or any other U.S. official raise the possibility that U.S. assistance could be cut off in the event of a military takeover?

Answer. We have been clear publicly and privately since the beginning of the Arab Spring changes that events in Egypt have implications for our bilateral relationship, including our assistance. We raised these points with the Egyptian military leadership as well, including in the runup to the events of July 3. Just as we urged Egypt's military leadership to let the democratic process proceed without interruption, we also urged the Morsy government to be more inclusive and to appoint more competent ministers, particularly in the economic fields.

The review of our assistance ordered by the President on July 3 and the subsequent suspension of certain military assistance deliveries and the Bright Star bilateral military exercise are in response to Egyptian actions.

Question. Over the past year, the administration worked hard to provide about \$450 million in direct cash transfers to the Egyptian Government, even as the country failed to take steps toward adopting a fiscal stabilization program as prescribed by the International Monetary Fund and it continued to prosecute 43 American, Egyptian, and German NGO employees working for democracy organizations and block these organizations' activities in Egypt.

- ◆ Please provide the committee a full account of your role in advising the U.S. Government on these decisions as U.S. Ambassador in Egypt.

Answer. In May 2011, President Obama promised Egypt \$1 billion in assistance toward managing the debt accumulated by the Mubarak regime, in an effort to help prospects for a successful democratic political transition. The program was tied to Egypt's commitment to make progress toward an internationally accepted set of economic reforms under the International Monetary Fund (IMF). We planned to offer \$450 million in cash transfers—about half of the promised assistance—with tranches of funding tied to a series of Egyptian Government promised reforms ending in an IMF agreement. In March, the Secretary announced that \$190 million of the cash transfer program for the Egyptian Government would be transferred; however, the \$260 million second tranche remains on hold since conditions have not been met.

Throughout my tenure in Cairo, I repeatedly outlined to Egyptian officials and the public international concerns about the economy and the need for fundamental reform, because economic collapse in Egypt is in nobody's interest: not America's, not Israel's, and not Egypt's. I consistently reminded Egyptian officials that political and economic stability go hand in hand. I had many conversations with the Supreme Council of the Armed Forces (SCAF), with the Morsy government, and then with the interim government about the need for economic reform, a message that was conveyed repeatedly by other members of our government. We urged the interim government to use the space provided by the substantial gulf assistance since July 3 to undertake these reforms, improve the business climate, attract investment, and reconcile with business elites.

Regarding the NGO issue, I sought a resolution of our differences with the Egyptian Government over the status of American nongovernmental organizations (NGO) working in the country—both with respect to the unfair trial and the larger issue of pending legislation under the Morsi government that would have further restricted civil society. I engaged frequently with the Egyptian Government on this matter, both immediately after the December 2011 raid, as the trial progressed, and with the Morsi government after the trial verdict on June 4, 2013. I was told by the Morsi government that the matter would be handled bilaterally after the trial was complete. Since July 3, we have repeatedly called on the Egyptian Government to demonstrate its commitment to defending the universal rights of expression, association, and assembly. The steps taken against NGO workers were an important element in the decision to postpone some of our assistance programs. My team and I closely monitored and spoke out on the NGO trial, legal actions against NGOs, and

broader civil society issues in Egypt. As Ambassador, I met with the Egyptian Government and the Presidency on several occasions since legal actions began with raids of the NGOs offices in December 2011, with subsequent charges filed against the 43 employees alleging they were operating a foreign NGO and receiving foreign funding without permission. I consistently pointed out to the government that we considered the trial to have been politically motivated.

On the NGO trial verdicts, I, along with senior U.S. officials in Washington, strongly deplored the decision of the court. The charges, trial, and verdict discourage the exercise of the freedom of association. The court's decision to shut down several NGOs and seize their assets contradicts the Egyptian Government's stated commitments to respect and protect universal rights and freedoms and to support the role of civil society in Egypt. We have made clear that we want to see the trial verdict redressed for the sake of all the defendants, and we will continue to press for that.

More broadly, we continued to urge the government to meaningfully consult with Egyptian civil society organizations to draft an NGO law that conforms to international standards. We have repeatedly called on the Egyptian Government to demonstrate its commitment to ensuring the universal rights of expression, association, and assembly that Egyptians aspired to during the revolution. As Ambassador, I repeatedly conveyed to the Egyptian Government that NGOs continue to play a significant and positive role in Egypt's society and economic development and an essential role in ensuring that Egypt's Government fulfills the aspirations of its citizens for dignity, justice, and political and economic opportunity.

Question. If confirmed, what will you do to get these verdicts wiped from the books and for these important groups to be allowed to reestablish operations in Egypt?

Answer. The administration has consistently made clear since the trial was launched that it views the charges as politically motivated. As Secretary Kerry said, the verdicts run contrary to the universal principle of freedom of association and are incompatible with the transition to democracy. I frequently raised our objections with the Egyptian Government as Ambassador, and, if confirmed, I will continue our efforts to redress these verdicts and allow U.S. support for Egyptian civil society to continue unimpeded.

Alongside our efforts with the Egyptian Government, we have sought to minimize the impact of these verdicts on the defendants and their organizations. We have supported the legal costs associated with the trial through existing grants. We have worked with INTERPOL to ensure that it declared invalid Egypt's pursuit of international red notices against the defendants, due to the trial being politically motivated and not in compliance with INTERPOL's constitution. The Department is providing each defendant with official letters for use in the pursuit of employment or other matters indicating the U.S. Government's view that the convictions were politically motivated, without merit, and invalid.

Question. Does the administration plan to provide remaining FY13 FMF or ESF funds to Egypt prior to the end of the fiscal year and what conditions, if any, will be placed on those funds?

Answer. The President's assistance review is still ongoing. We do not have any updates on that review beyond what the administration has already announced. We plan to take the administrative steps necessary to prevent funds from expiring. These administrative actions are not an indication of any broader decision about our assistance to Egypt, but preserve the availability of funds for use in the future. Regardless of the outcome of the ongoing review, it is important to retain this flexibility.

Question. What specific actions did you take as Ambassador to Egypt to raise persecution of Coptic Christians and treatment of women with the Supreme Council of the Armed Forces (SCAF), the Morsi government, and the current Egyptian leadership?

Answer. The treatment of religious minorities and women has consistently been one of the highest priority issues in our engagement with the Egyptian Government, and I raised these issues with Egyptian officials at all levels throughout my tenure as Ambassador. One particular focus of our engagement was ensuring that Christians and women be included in government committees, political party leadership, and all national institutions in order to give voice to their oft-neglected demands. We also strongly pushed for investigations into crimes against Christians and women and accountability for those found guilty of violence against these groups.

President Obama, Secretary Kerry, and the administration strongly denounced the recent attacks on Christian churches, homes, and businesses and called on the interim government to protect the rights of all religious minorities. The interim gov-

ernment has arrested a number of individuals suspected of attacking churches, and it has committed itself to investigating these heinous crimes. The interim government needs to do more, however, to protect Christians before such attacks occur, and we will continue to work with the Egyptian authorities to stress the need to protect all Egyptians from hateful attacks on themselves and their institutions.

In response to a wave of despicable sexual assaults against women, the Department and our Embassy in Cairo initiated a program to help train Egyptian police to combat all forms of sexual harassment. This was in addition to our public and private efforts to ensure the government held the perpetrators accountable for their crimes. We also launched a Department-wide effort to bring together our assistance programs and direct them more efficiently to support women's empowerment. If confirmed, I would continue those efforts to ensure women, Christians, and all Egyptians, have a voice in determining their future.

Question. What will you personally do to address the growing persecution of Christians in Iran and across the Middle East?

Answer. I am very concerned by the increasing reports of threats and violence against religious minorities in Iran and across the Middle East. I am committed to protecting freedom of religion for all. I am also dedicated to protecting Christians and other religious minorities around the world. Freedom of religion is critical to a peaceful, inclusive, and thriving society, and supporting it is a critical component of U.S. foreign policy.

The administration has raised its concerns about the persecution of Christians in Iran and across the Middle East on numerous occasions, and in multiple international fora. If confirmed, I will continue to speak out and highlight cases of religious persecution, work with our international partners to shine a spotlight on abuses, urge governments to provide these minorities the requisite rights and protections, and encourage accountability for acts of violence directed against religious minorities. I will also press for the release of U.S. citizen Saeed Abedini, who was sentenced to 8 years in prison in Iran on charges related to his religious beliefs.

Question. What new measures would you adopt to ensure that the State Department more openly prioritizes human rights and democracy in its relations with Bahrain, and what leverage points would you use to encourage progress on these issues?

Answer. Human rights and democracy are core U.S. values that will remain a priority in our relationship with countries in the region, including Bahrain. Last week, we publicly expressed our concern over the Government of Bahrain's recent decrees restricting the rights and abilities of political groups to assemble, associate, and express themselves freely. If confirmed, I will make a strong case to the Government of Bahrain that meaningful dialogue between the government and the peaceful opposition, political reforms and the protection of human rights are vital both to Bahrain's long-term stability and to its relationship with the United States. Moreover, I will ensure that we continue to review all credible information documenting human rights violations and to press for investigations into and accountability for these violations. In addition, I will support advocacy and programming efforts to expand the space for civil society in Bahrain.

The U.S. Government continues to withhold the export to Bahrain of lethal crowd control items and other items that have a potential internal security use due to the Bahraini Government's response to protests and concerns about ongoing unrest. If confirmed, I will continue to work to ensure our arms transfer policy continues to take into account any human rights issues.

**NOMINATION HEARING OF DWIGHT BUSH,
SR., MARK CHILDRESS, THOMAS DAUGH-
TON, MATTHEW HARRINGTON, EUNICE RED-
DICK, JOHN HOOVER, AND MICHAEL HOZA**

TUESDAY, SEPTEMBER 24, 2013

U.S. SENATE ,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

Dwight L. Bush, Sr., of the District of Columbia, to be Ambassador
to the Kingdom of Morocco
Mark Bradkey Childress, of Virginia, to be Ambassador to the
United Republic of Tanzania
Thomas F. Daughton, of Arizona, to be Ambassador to Namibia
Matthew Harrington, of Virginia, to be Ambassador to Lesotho
Hon. Eunice S. Reddick, of the District of Columbia, to be Amba-
sador to Niger
John Hoover, of Massachusetts, to be Ambassador to Sierra Leone
Michael S. Hoza, of Washington, to be Ambassador to Cameroon

The committee met, pursuant to notice, at 10:06 a.m., in room
SD-419, Dirksen Senate Office Building, Hon. Christopher A.
Coons presiding.

Present: Senators Coons, Kaine, Murphy, Markey, and Flake.
Also Present: Senator Durbin.

**OPENING STATEMENT OF HON. CHRISTOPHER A. COONS,
U.S. SENATOR FROM DELAWARE**

Senator COONS. I am pleased to call to order this hearing of the
Senate Foreign Relations Committee Subcommittee on African Af-
fairs as we consider the following nominations: Dwight Bush to be
Ambassador to Morocco; Mark Bradley Childress to be Ambassador
to Tanzania; Thomas Daughton to be Ambassador to Namibia;
Matthew Harrington to be Ambassador to Lesotho; Eunice Reddick
to be Ambassador to Niger; John Hoover to be Ambassador to Si-
erra Leone; and Michael Hoza to be Ambassador to Cameroon.

As I have discussed with our nominees, before we begin more for-
mally I would like to just say a few words about the horrific attack
in Nairobi in Kenya. My deepest condolences go out to the families
of those injured or killed in this senseless violence. My prayers are
with those who have been lost with the security forces and the peo-
ple of Kenya and with all who have been touched by this event.

The United States stands firmly with the people of Kenya as they move forward from this unconscionable act of terror and we will continue to assist the Kenyan Government in responding to this attack and ensuring that those who are responsible are brought to justice. It is my hope that this incident will remind all of us of the value of our alliances around the world and of those who are willing to stand with us and to take actions and take risks in the global effort against terrorism.

I welcome each of the nominees and their family members who are here to support them today, and I welcome my colleague and subcommittee ranking member, Senator Flake, and I expect we may see some other members of the committee this morning.

Today we consider nominees for seven different diplomatic assignments, and I will briefly touch on the relevant countries. Cameroon has a strong record of stability, but it has come at the cost of democracy and opportunity for its citizens that presents some challenges for long-term prospects.

Namibia has achieved upper income status, but works through the lingering legacy of apartheid.

Sierra Leone has made very significant strides since emerging from a brutal civil war, but remains challenged by poverty.

Tanzania has shown a strong commitment to democracy and benefits from a very wide array of U.S. assistance, but some weak institutions. Poverty and corruption remain persistent.

Lesotho appears to have successfully embraced democracy after a tumultuous transition, an AGOA success story, especially in the textile sector, but that success has bypassed many Basotho and more than a third of the Lesotho's children suffer from malnutrition.

Niger has restored constitutional rule following the 2010 coup and its leadership has sought to include diverse voices, but it is vulnerable to a wide range of threats, both domestic and international.

Morocco is a steady ally and has signed a free trade agreement with the United States, but the unresolved status of western Sahara continues to present some governance and human rights challenges.

As all my colleagues on the committee know, I am convinced the United States has to deepen and diversify our engagement with the leaders and people of Africa. Some of these countries we are going to discuss today are more often seen through the lens of two-dimensional cartoons or cliches, both positive and negative. But countries are not simple cliches. Each deserves our attention, support, and respect as we work to advance economic development, security and democracy both for their benefit and for the benefit of the United States and our interests. Investing in the success of African countries is good in my view for both Africans and Americans.

The nominees before us today bring a wealth of foreign policy and public service experience and I am interested in hearing your views about how we can build these partnerships.

Dwight Bush has excelled in the world of business and finance and serves on the board of many nonprofits, including the GAVI Alliance, which is reaching millions with lifesaving vaccines and im-

munizations, and I am confident he will apply his expertise to managing U.S. bilateral relations.

Mark Childress brings strong insights on law, health, labor, agriculture, minority rights, all important elements of Tanzania's development and our enduring bilateral relationship.

Thomas Daughton has most recently served as DCM in Beirut, during which he was immersed in sensitive security and development issues. They are important qualifications for any chief of mission charged with protecting Americans abroad, but I imagine he is also looking forward to the opportunity to handle the more diverse set of issues Namibia will present.

Matthew Harrington has demonstrated a deep commitment to Africa from his service as a Peace Corps Volunteer in Mauritania to serving as DCM in Windhoek and Lome and assignments focused on Sudan, Zimbabwe, and Ghana, and is eminently qualified to represent our interests in Lesotho.

Ambassador Eunice Reddick brings a deep understanding of the difficult and complex challenges and threats facing Niger and U.S. policy in the Sahel. Having served most recently as Director of the Office of West African Affairs, her experience with the Sahel and previous service as Ambassador in Gabon make her an excellent choice to lead our mission in Niamey.

John Hoover has served around the globe from Paris to Beijing to Nairobi, covering consular, economic, security, political affairs. These skills will serve him well in the complex and dynamic environment of Sierra Leone as they seek to move sustainably decisively past a history of conflict.

Michael Hoza has served as a management counselor in Nairobi and Moscow, two of our largest and most complex embassies in the world, and as DCM in smaller and more remote posts, such as in Mbabane, Swaziland. In Yaounde he will have the opportunity to apply these management skills and his African experience in pursuit of our interests.

With that broad overview of our remarkably qualified nominees, I would like to turn to Senator Flake for his opening statement.

Senator FLAKE. Thank you, Mr. Chairman.

Thank you all. I enjoyed meeting with all of you in my office earlier last week and the week before, and I am convinced that all of you have a great background to serve the Nation in the capacity that you have been chosen for. I am envious, especially of Mr. Daughton going back to Namibia, where I spent a good deal of time. From Arizona to Namibia, that seems to be a good connection here. But I really appreciate your willing to make the sacrifice and for your families as well.

As I mentioned with the last group of African Ambassadors, when I spent time over there it was a little different, before the Internet age. It was a little tougher to keep contact with family here. You have it easier in that sense. But you face difficult challenges, as we are reminded of just in the last couple of days, particularly in Kenya.

And I want to, along with the chairman, I want to express my condolences to those who are affected. Hopefully, we will be able to help our allies move away from this points up the fact that we live in a dangerous world, and it points to the importance of your

role here in representing this great country. So I appreciate your willingness to serve in this capacity and look forward to your testimony here.

Thanks.

Senator COONS. Thank you.

We will be joined by Senator Durbin in a few minutes. But I think we should simply proceed, if we could, for the moment. I would like to invite Mr. Bush, Mr. Childress, Mr. Daughton, and Mr. Harrington, in order if you would, to make your introductory statements.

In particular, I would like to encourage you to recognize your families and your coworkers or colleagues who might be here to support you today. We are all of us on the committee conscious of the fact that your service, your willingness to go and represent us overseas, your service—many of you have dedicated long periods of time to public life—is possible really only because of the support and encouragement of your family and colleagues. So please do take a moment to recognize them.

Mr. Bush.

STATEMENT OF DWIGHT L. BUSH, SR., OF THE DISTRICT OF COLUMBIA, NOMINATED TO BE AMBASSADOR TO THE KINGDOM OF MOROCCO

Mr. BUSH. Mr. Chairman, Ranking Member Flake, and distinguished members of the Senate Committee on Foreign Relations, I thank you for the privilege to appear before you today. I am deeply honored to be nominated to serve as Ambassador to the Kingdom of Morocco by President Obama and Secretary Kerry.

I sit before you today as a testament to the remarkable promise and beauty of our great country. I am a child of Charlie and Jessie Bush, who committed their entire lives to making sure that their children could fully participate in the American dream. I grew up in East St. Louis, IL, a town of rich history whose boom and bust cycles reflect both the hope and tragedy of industrial America.

My father passed away several years ago and I know that he is at peace today and happy with his progeny. My mother sits here behind me, and I must acknowledge and thank her for the sacrifices that I know she and my dad made for my siblings and me.

I also must thank my dear wife, Antoinette Cook Bush, for her love and steadfast support of me; and to Dwight Junior and Jacqueline, who bring me joy endlessly every single day.

The extensive friends and families behind me are here because they know that I depend on them daily for support and sustenance.

Mr. Chairman, I believe that my life experiences to date have prepared me for the job at hand. After graduating from Cornell University, I have had a 35-year career characterized by increasing responsibility and broad leadership experiences. I have been a banker and an entrepreneur and I have engaged in corporate education and philanthropic governance.

One of the things I am most proud of is my 10-year involvement in the GAVI Alliance, a public-private partnership that vaccinates over 70 million children a year in the poorest countries throughout the world. Through GAVI, I have become keenly aware of the nuances of diplomatic engagement.

Through my experiences I have developed a management style that encourages consensus-building, teamwork, and excellence. If confirmed, I look forward to working with our outstanding Career Foreign Service colleagues in Morocco.

Mr. Chairman, no country has been a friend of the United States longer than Morocco. They were the first country to recognize us in 1777. However, we should not be satisfied with the longevity of our relationship. Rather, we should want a relationship that is dynamic, growing, and reflective of the times.

We must also acknowledge the challenges that face the Maghreb region today. We have bilateral priorities to advance, American interests to maintain, and a United States workforce in Morocco to protect. If confirmed, protecting Americans and American interests in Morocco will be my highest priority.

Our longstanding relationship with Morocco is broad. They are a major non-NATO ally. We also have a thriving free trade agreement with Morocco and a nearly \$700 million Millennium Challenge Corporation compact that went into effect in 2008. When the MCC compact ends at the end of this month, Morocco will commit to completing the programs that we helped them to start.

Exports to Morocco have increased dramatically since the FTA went into effect. The expansion of Morocco's deepwater Tangier Med port positions Morocco to become a bridge for American exports to Europe, the Middle East, and beyond. Expanding trade not just in Morocco but throughout the Maghreb region could lead to greater levels of regional integration and greater cooperation on issues like trafficking, illegal migration, and violent extremism.

Morocco is on a positive path, but it faces significant challenges. Morocco's youth face high levels of unemployment and they could be susceptible to violent extremist ideologies. While the Moroccan Government has aggressively and successfully pursued terrorist cells over the years, the specter of transnational terrorism remains. Accordingly, it is all the more important for Morocco to continue investing in education, job creation, and ensuring that all Moroccans feel that they are equal stakeholders in their country.

Morocco's continued development and stability depend on political, economic, and social reforms that King Mohammed VI championed for the last 15 years that he has been in power.

The 2011 constitutional amendments and reforms strengthened the role of the Parliament and the elected government. They enhanced Parliament's ability to pass laws on a wide range of issues and shifted some political prerogatives from the King to the Parliament.

Separately, our good friends at USAID engage in activities that will enhance the lives and potential for Moroccans in the future.

If confirmed, I will work with the Government of Morocco and our colleagues across various U.S. agencies to continue to make progress on principles of good governance.

In addition to political and economic advancement, the promotion of human rights is also important. Human rights are a core value of the United States and if confirmed human rights will figure prominently in my engagement with Morocco.

Finally, there has been progress made in the Western Sahara and if I am confirmed I will fully support the efforts of the U.N.

Secretary's personal envoy to develop with Morocco and other parties in the region a just, lasting, and political solution for the western Sahara.

Mr. Chairman, I am truly humbled today and if confirmed I will do all that I can to further deepen our relationships with Morocco. Mr. Chairman, I thank you and the members of the committee for this opportunity to address you and I am available for any questions that you may have.

[The prepared statement of Mr. Bush follows:]

PREPARED STATEMENT OF DWIGHT L. BUSH, SR.

Mr. Chairman, Ranking Member Flake, and distinguished members of the Senate Committee on Foreign Relations, I thank you for the privilege to appear before you today. I also want to specifically thank Senator Durbin for his kind words in support of my nomination. I am deeply appreciative for the trust and confidence placed in me by President Obama and Secretary Kerry for nominating me to be the Ambassador to the Kingdom of Morocco.

I sit before you today as a testament to the remarkable promise and beauty of our great country. I am the fourth of five children raised by Charlie and Jessie Bush, two parents who committed their entire lives to only one mission: to make sure that their children could fully participate in the American dream. I grew up in East St. Louis, IL, a town of rich history whose boom and bust cycles reflect both the hope and tragedy of industrial America. I consider myself fortunate to have grown up with the working class families, the great teachers, and the mentors that helped me along the way.

My father passed away several years ago, and I know that he is at peace today and happy with his progeny. My mother sits here behind me, and I must acknowledge and thank her for the sacrifices that I know she and my dad made for my siblings and me. I must also thank my dear wife, Antoinette Cook Bush, for her love and steadfast support of me, and our children, Dwight Bush, Jr., and Jacqueline Bush, who bring me endless joy every day. The rather extensive family and friends gathered are here today because they know that I depend on them daily for sustenance and support.

Mr. Chairman, I believe that my life experience to date has uniquely prepared me for the job at hand. After graduating from Cornell University I have had a nearly 35-year career characterized by increasing responsibility and broad leadership experiences in the areas of corporate management and investing, as well as corporate, education, and philanthropic governance. Among other things, at The Chase Manhattan Bank I raised capital for Fortune 500 companies. As an entrepreneur, I have started and served as the Chief Executive Officer of a bank. I have been a member of the Executive Committee of Cornell University, and I have been on the boards of directors of several public and private companies, and not for profit organizations. For the last 10 years I have been a member of the board of trustees of the GAVI Alliance, a public-private partnership that vaccinates over 70 million children a year in the poorest countries throughout the world. Through my involvement with GAVI I have interacted with leaders of many developing countries, and I have become keenly aware of the nuances of diplomatic engagement. I am a student of history, and I have previously visited Morocco and several other Saharan countries as well as over other 40 countries, most in the developing world. These experiences have helped me to develop a broad set of leadership skills, including the ability to set goals, establish an esprit de corps, and motivate others to perform at high levels. I look forward to working with our outstanding career Foreign Service officers, and if I am confirmed by this committee, I will bring the fullness of my experiences together in my representation of our country in the Kingdom of Morocco.

Mr. Chairman, no country has been a friend of the United States of America longer than Morocco. It was the first nation to recognize our country back in 1777. However, we should not be satisfied with simply having a friendship that is longstanding. We should want a relationship that is dynamic, growing, and reflective of the times. As we look ahead, we must also acknowledge the challenges that face the Maghreb region today. We have bilateral priorities to advance, American interests to maintain, and a U.S. workforce in Morocco to protect. If confirmed, protecting Americans and American interests in Morocco will be my highest priority.

Our longstanding relationship has produced several milestones that demonstrate the depth and breadth of our close relationship. Morocco is a major non-NATO ally. We also have a thriving Free Trade Agreement with Morocco, and a \$697.5 million

Millennium Challenge Corporation (MCC) Compact that entered into force in 2008. When that MCC Compact ends this month, Morocco will commit its own resources to complete MCC programs.

Morocco is on a positive path, but it faces significant challenges. Morocco's youth face high levels of unemployment and they could be susceptible to violent extremist ideologies. While the Moroccan Government has been successful in finding, arresting, and prosecuting terrorist cells over the years, the specter of transnational terrorism has grown significantly in the region. These facts make it all the more important for Morocco to continue to address the problems that cause young people to lose faith in their system and communities. There needs to be a heightened focus on education and employment opportunities, and creating an environment in which Moroccans feel they are real stakeholders in their government and their society.

Morocco's continued development and stability depend on the political, economic, and social reforms that King Mohammed VI has championed since he assumed power nearly 15 years ago. In early 2011, Morocco introduced a reform program that included a new constitution and parliamentary elections that were widely found to be free and fair. The 2011 constitution strengthened the role of the Parliament and the elected government, enhanced its ability to pass laws on a wide range of issues, and shifted some political prerogatives from the King to Parliament. Additionally, the work of USAID will expand opportunities for millions of Moroccans to lift themselves out of poverty and play productive roles in Morocco's future. If confirmed I will work closely with my colleagues across various agencies and with the Government of Morocco to ensure we continue to make progress on principles of good governance.

On the economic front, the U.S.-Morocco Free Trade Agreement has increased exports of American products to Morocco, by 369 percent. U.S. investment in Morocco has also risen sharply in recent years. With the expansion of Morocco's deep-water Tangier-Med port, Morocco may be well positioned to become a bridge for American exports to Europe, the Middle East, and sub-Saharan Africa. These steps should increase access to Moroccan markets for U.S. exports and investment. If confirmed, I will commit myself to working to increase commerce with this key ally.

While political and economic reforms are extremely important, the promotion and protection of human rights is also important. Human rights are a core value of the United States and will certainly figure prominently in my engagement with Morocco. If confirmed, I will make the promotion and protection of human rights a high priority.

The Moroccan Government also understands that its future depends on the development of the region. Increasing trade among the countries of the Maghreb could lead to greater levels of economic development than they can achieve alone. Improving cooperation among these neighboring countries can help them all better cope with illegal migration, trafficking, and violent extremism. However, one of the major impediments to improved cooperation among North African countries has been the issue of western Sahara. If I am confirmed as Ambassador to Morocco, I will fully support the efforts of the U.N. Secretary General's Personal Envoy to develop with Morocco and other parties in the region a just, lasting and mutually acceptable political solution.

If confirmed, my priorities will be to promote partnership, expand U.S. exports, promote human rights, counter violent extremism, reinforce military cooperation and peacekeeping, and of course, protect Americans living in Morocco.

Mr. Chairman, I want to express how humbled I am to be nominated to this great country. If confirmed, I will do all that I can to further deepen our relations with Morocco, our strategic ally, and a key partner in the Maghreb.

Mr. Chairman, I thank you and members of the committee for this opportunity to address you. I welcome any questions that you may have.

Senator COONS. Thank you very much, Mr. Bush.
Mr. Childress.

**STATEMENT OF MARK BRADLEY CHILDRESS, OF VIRGINIA,
NOMINATED TO BE AMBASSADOR TO THE UNITED REPUBLIC
OF TANZANIA**

Mr. CHILDRESS. Thank you, Mr. Chairman. Mr. Chairman, Ranking Member Flake, members of the committee, it's an honor to appear before you today as President Obama's nominee to be the Ambassador to the United Republic of Tanzania and the East African

Community. I am humbled by the trust that President Obama and Secretary Kerry have placed in me and, if confirmed, I look forward to further strengthening our relationship with Tanzania and broadening our engagement with the EAC.

I would like to take a moment to acknowledge my wife, Kate, and note with some chagrin that you were much more eloquent in thanking her, Mr. Chairman, than I was going to be. So I think we will just put your comments in the record and move on.

I lived and worked in Africa on several occasions as far back as the 1980s, and I have returned as often as possible. Should I be confirmed, I believe my years of public service in both the executive and legislative branches, my strong legal background, and my previous work overseas in Africa and in Australia assisting development organizations provide me with the experience and the tools necessary to carry out this important assignment.

Mr. Chairman, we are at an important juncture in our relationship with Tanzania. Tanzania's Government, under the leadership of President Kikwete, has embarked upon an ambitious economic and political reform agenda. This agenda presents an opportunity for the United States to move toward what President Obama has described as a new model for Africa that builds capacity in countries like Tanzania based not just on aid and assistance, but on trade and partnership.

In agriculture, in energy, and in many other areas, the best way for Tanzania to achieve its own ambitious goals is to use public resources to leverage private sector investments.

Tanzania's development also provides business opportunities for both American and Tanzanian companies to expand trade between Tanzania, the EAC, and the United States. If confirmed, I stand ready to promote U.S. firms and I will work to ensure a level playing field for U.S. interests.

Tanzania has significant natural gas reserves and it is important that the United States contribute to its efforts to develop these resources as rapidly and responsibly as possible. President Kikwete has committed to increased accountability and regulatory reform in the energy and power sectors, and the United States supports these reforms because they are essential for an attractive environment for private investment.

In addition, tourism provides approximately 14 percent of the gross domestic product and an estimated \$1.7 billion in revenue. Unfortunately, poaching and wildlife trafficking threaten not only this important contribution to the Tanzanian economy, but a unique, natural legacy. If confirmed, I am personally committed to assisting Tanzania in combating these threats.

Our strategic objectives in Tanzania include promoting democratic institutions, supporting Tanzania's economic growth and private sector development, working with Tanzania to tackle HIV-AIDS, malaria, and other health challenges, promoting regional stability, including Tanzania's peacekeeping efforts, and cooperating on security threats such as terrorism, drug trafficking, and piracy. As the chairman noted, the events in Nairobi are a stark reminder of the importance of keeping our focus on counterterrorism.

Today the partnership with Tanzania is as strong as ever and President Obama's recent trip highlighted the successes already achieved and the challenges that remain. Tanzania is one of only four Partnership for Growth countries and it has committed to jointly addressing constraints to broad-based economic development. Tanzania receives assistance under almost every Presidential initiative, in addition to the recently announced Power Africa and Trade Africa. These programs can produce tangible and lasting results.

For example, since the inception of PEPFAR the American people have provided treatment to more than 405,000 Tanzanians. The President's Malaria Initiative has been an important factor in helping Tanzania to virtually eliminate malaria from Zanzibar. And our partnership with Tanzania under Feed the Future has helped 14,000 farmers and we have seen rice yields in that program increase by 50 percent since it started.

Tanzania has recently successfully completed its first Millennium Challenge Compact that was the largest awarded to date, almost \$700 million, a little bit larger than Morocco, which focused on building new roads and increasing access to water and electricity. In order to ensure successful completion of these projects, Tanzania has made a significant contribution of its own, which is really important, I think.

Key to many of these successes is a transparent democratic society that protects rights and promotes tolerance.

If confirmed, I will utilize the Young African Leaders Initiative to engage with Tanzania's youth. This is essential as nearly 45 percent of the population of Tanzania is under the age of 15. I will also work with the Government of Tanzania to continue to promote human rights and the rule of law across all sectors.

Looking ahead, Tanzania has its next election in 2015 and is currently in the process of constitutional reform that will further define individual rights and which will ultimately determine the structure of the union between Zanzibar and the mainland. If confirmed, I will monitor these developments closely and promote a democratic and peaceful process.

Mr. Chairman, I thank you and the committee for considering my nomination and look forward to answering any questions that you have.

[The prepared statement of Mr. Childress follows:]

PREPARED STATEMENT OF MARK B. CHILDRESS

Mr. Chairman, Ranking Member Flake, and members of the committee, it is an honor to appear before you today as President Obama's nominee to be Ambassador to the United Republic of Tanzania and the East African Community (EAC). I am humbled by the trust and confidence that President Obama and Secretary Kerry have placed in me; and if confirmed, I look forward to further strengthening our relationship with Tanzania and broadening our engagement with the EAC.

I would like to take a moment to acknowledge my wife, Kate, a business executive, who also has worked in the government and nonprofit sectors, and whom I wish to thank for her support.

I lived and worked in Africa on several occasions as far back as the 1980s, and I have returned as often as possible. Should I be confirmed, I believe my years of public service, in both the executive and legislative branches, my strong legal background, and my previous work overseas in Africa and in Australia assisting development and nonprofit organizations, provide me with the experience and tools necessary to carry out this important assignment.

Mr. Chairman, I come before this committee at an important juncture in our relationship with Tanzania. Tanzania's Government, under the leadership of President Kikwete, has embarked upon an ambitious economic and political reform agenda. This agenda, a driving force for Tanzania's development, presents an opportunity for the United States to move toward what President Obama has described as a new model for Africa that builds capacity in countries like Tanzania, based not just on aid and assistance, but on trade and partnership. In agriculture, energy, and many other areas, the best way for Tanzania to achieve its own ambitious goals is to use public resources to leverage private sector investments.

Tanzania's development also provides business opportunities for both American and Tanzanian companies, and the recently announced Trade Africa is just one of the platforms that can expand trade between Tanzania, the EAC, and the United States. If confirmed, I stand ready to promote U.S. firms, and will work to ensure a level playing field for U.S. interests.

Tanzania has significant natural gas reserves, and it is important that the United States support its efforts to develop these resources as rapidly and responsibly as possible. President Kikwete has committed to increased accountability and regulatory reform in the energy and power sectors, and the United States supports these reforms because they create an attractive environment for private investment.

In addition, tourism provides approximately 14 percent of the gross domestic product and an estimated \$1.7 billion in revenue. Unfortunately, poaching and wildlife trafficking threaten not only this important contribution to the Tanzanian economy, but a unique, natural legacy. If confirmed, I am personally committed to assisting Tanzania in combating these threats.

Our strategic objectives in Tanzania include promoting democratic institutions; supporting Tanzania's economic growth and private sector development; working with Tanzania to tackle HIV/AIDS, malaria, and other health challenges; helping Tanzania improve its schools, promoting regional stability, including Tanzania's peacekeeping efforts throughout the region, and cooperating on security threats such as terrorism, drug trafficking, and piracy.

Today, the partnership with Tanzania is as strong as ever, and President Obama's recent trip highlighted the successes already achieved and the opportunities and challenges that remain. Tanzania is one of four Partnership for Growth countries because of its demonstrated commitment to democratic governance and economic freedom, and receives assistance under almost every Presidential initiative, including: Feed the Future, Global Climate Change, and the Global Health Initiative which includes the President's Emergency Plan for AIDS Relief (PEPFAR) and the President's Malaria Initiative, in addition to the recently announced Power Africa and Trade Africa. These programs can produce tangible and lasting results. For example, since the inception of PEPFAR the American people have provided treatment to more than 405,000 Tanzanians and placed more than 1.2 million into care and support programs. Tanzania is close to eliminating malaria from Zanzibar. On the mainland, where the mortality rate in children under 5 years has been reduced by half, much of this progress is thought to be a result of gradually scaled-up malaria control efforts. Our partnership with Tanzania under Feed the Future has helped 14,000 farmers apply improved technologies and management practices, contributing to a rice yield increase of 50 percent since the program started. In addition, nutrition programs have reached over 96,000 children.

Tanzania has successfully completed its first Millennium Challenge Compact, the largest awarded to date, which focused on building new roads, and increasing access to water and electricity. In order to ensure successful completion of all the projects, Tanzania made a significant contribution of its own financial support. Tanzania was found eligible for a second compact, and is developing its new project proposals.

Key to many of these successes is a transparent, democratic society that protects rights and promotes tolerance. If confirmed, I will actively engage with Tanzania's youth, and support their efforts to advance democratic values. This is essential, as nearly 45 percent of the population is under age 15. I will utilize the Young African Leaders Initiative and other exchanges to build relationships that will continue into the future. I also will work with the Government of Tanzania to continue to promote human rights and the rule of law across all sectors. And, I will seek out opportunities to support Tanzania's traditions of religious and ethnic tolerance, which have come under strain over the past several months.

Looking ahead, Tanzania has its next election in 2015, and is currently in the process of constitutional reform that will further define individual rights, and which will ultimately determine the structure of the union between Zanzibar and the mainland. It is critical that Tanzania's constitutional process continues to be transparent and includes consultations with civil society. If confirmed, I will ensure that

we monitor these developments closely and promote a democratic and peaceful process.

Mr. Chairman, I thank you and the committee for considering my nomination, and look forward to answering any questions that you may have.

Senator COONS. Thank you very much, Mr. Childress.
Mr. Daughton.

**STATEMENT OF THOMAS F. DAUGHTON, OF ARIZONA,
NOMINATED TO BE AMBASSADOR TO NAMIBIA**

Mr. DAUGHTON. Mr. Chairman, Ranking Member Flake, members of the committee, it is a great honor and privilege for me to appear before you today as President Obama's nominee to be the Ambassador to the Republic of Namibia. I appreciate the confidence that the President and Secretary Kerry have shown in putting my name forward for your consideration. If confirmed, I look forward to working with this committee and the Congress to advance United States interests in Namibia.

I have spent a third of my 25 years in the Foreign Service working on the African Continent, including as Chargé d'Affaires in Gabon more than 10 years ago. If confirmed, I very much look forward to returning to Africa. In doing so, I will have the invaluable support of my wife of 7 weeks, Melinda Burrell, who I am delighted to have with me here today along with her father, Steve.

U.S. relations with Namibia are strong and our two countries share a firm commitment to democratic values. Since its independence in 1990, Namibia has stood as an example of stability and good governance in southern Africa. Namibia has held several democratic elections in its relatively short history and will conduct elections for a new President next year.

One of the goals of the United States in Namibia is to see the young country's democratic institutions continue to become stronger. If confirmed, I will work with the Namibian Government and civil society toward that goal.

The United States and Namibia also share an interest in increasing economic growth and prosperity. For more than 20 years, Namibia has worked hard to create jobs, attract foreign investment, and seek advice and assistance to diversify its economy. A \$305 million Millennium Challenge Corporation compact with Namibia that will come to a close next year has targeted tourism and agriculture as sectors where growth can help decrease poverty and has provided assistance to the education system in order to give more Namibians the skills employers need to be competitive in the regional economy.

Namibia has, however, one of the highest levels of income inequality in the world and education can help narrow that divide.

If I am confirmed, one of my priorities will be to ensure that the implementation of the final phase of our MCC compact is effective and has a lasting beneficial impact in Namibia.

Namibia also has a 13-percent HIV-AIDS prevalence rate among adults and one of the highest tuberculosis case rates in the world. Statistics from recent years reflect significant progress in tackling both diseases and the United States continues to work actively with Namibia to combat them. An important focus of the United States effort is helping the Namibian Government to strengthen its

health system to sustain treatment and prevention of these devastating diseases as we work together to achieve an AIDS-free generation.

Namibia has been at the forefront of PEPFAR's efforts to move its programs to a more sustainable response. The Namibian Government today funds more than half of the HIV–AIDS response and has taken financial and supervisory responsibility for doctors, nurses, and pharmacists previously supported by PEPFAR and the Global Fund.

Namibia stands as a model in the region of a host country-led HIV–AIDS response and a transitioning PEPFAR Program. If confirmed, I will do my utmost to make sure that our taxpayers' resources continue to be used effectively in this joint effort.

There is also considerable potential for growth in trade between Namibia and the United States. The Namibian Government has ambitious plans for expansion in the electricity generation and transportation sectors, plans that should create significant opportunities for American companies to sell their products. Trade goes both ways, of course, and more exports from Namibia will help the Namibian economy grow, thus increasing demand for goods and services.

If confirmed, I look forward to promoting the efforts of United States companies to do business with Namibia and making available the tools we can offer for Namibians to grow their own economy.

Namibia has the potential to emerge as a strong leader in southern Africa. I welcome the opportunity to promote stronger diplomatic ties between our two nations and better mutual understanding among our peoples. If confirmed, I look forward to leading a team committed to advancing our interests and to supporting one of Africa's youngest nations as it tackles the challenges of development.

Mr. Chairman, Ranking Member Flake, members of the committee, thank you again for the opportunity to appear before you today. I will be happy to answer any questions you might have.

[The prepared statement of Mr. Daughton follows:]

PREPARED STATEMENT OF THOMAS F. DAUGHTON

Mr. Chairman, Ranking Member Flake, and members of the committee, it is a great honor and privilege to appear before you today as President Obama's nominee to be the Ambassador to the Republic of Namibia. I appreciate the confidence that the President and Secretary Kerry have shown in putting my name forward for your consideration. If confirmed, I look forward to working with this committee and the Congress to advance U.S. interests in Namibia.

I have spent a third of my 25 years in the Foreign Service working on the African Continent, including as Chargé d'Affaires in Gabon in the early 2000s. Recent years have taken me elsewhere in the world, but if confirmed, I very much look forward to getting back to Africa. In doing so, I will have the invaluable support of my wife, Melinda Burrell, who I am delighted to have here with me today.

U.S. relations with Namibia are strong, and our two countries share a firm commitment to democratic values. Since its independence in 1990, Namibia has stood as an example of stability and good governance in southern Africa. Namibia has held several democratic elections in its relatively short history, and will conduct elections for a new President next year. One of the goals of the United States in Namibia is to see the country's young democratic institutions continue to become stronger. If confirmed, I will work with the Namibian Government and civil society toward that goal.

The United States and Namibia also share an interest in increasing economic growth and prosperity. For more than 20 years, Namibia has worked hard to create jobs, attract foreign investment, and welcome advice and assistance as it works to diversify its economy. A \$305 million Millennium Challenge Corporation Compact (MCC) with Namibia that will come to a close next year has targeted tourism and agriculture as sectors where growth can help decrease poverty, and has provided assistance to the education system in order to give more Namibians the skills employers need to be competitive in the regional economy. Namibia has one of the highest levels of income inequality in the world, and education can help narrow that divide. In its first 4 years, the MCC compact has helped Namibia benefit from a growing tourism industry, increase and improve its livestock production, and improve its national education system. If I am confirmed, one of my priorities will be to ensure that the implementation of the final phase of our MCC compact is effective and has a lasting beneficial impact in Namibia.

Namibia has a 13-percent HIV/AIDS prevalence rate among adults and one of the highest tuberculosis case rates in the world. Statistics from recent years reflect significant progress in tackling both of these interrelated diseases, and the United States continues to work actively with Namibia to combat them. Namibia received nearly \$90 million in PEPFAR funds in FY 2012 and is included in the Global Health Initiative. An important focus of the United States effort is helping the Namibian Government to strengthen its health system to sustain treatment and prevention of these devastating diseases as we work together to achieve an AIDS-free generation. Namibia has been at the forefront of PEPFAR's efforts to move its programs to a more sustainable response. Specifically, since 2004, the Namibian Government, in collaboration with PEPFAR, has achieved major success in the areas of preventing mother-to-child transmission, treatment coverage (80 percent), human resources for health, and health financing. The Namibian Government today funds over half of the HIV/AIDS response and has taken financial and supervisory responsibility for doctors, nurses, and pharmacists previously supported by PEPFAR and the Global Fund to Fight AIDS, Tuberculosis and Malaria. Namibia stands as one of the models in the region of a host country-led HIV/AIDS response and a transitioning PEPFAR Program. If confirmed, I will do my utmost to make sure that our taxpayers' resources continue to be used effectively in this effort.

There is considerable potential for growth in trade between Namibia and the United States. The Namibian Government has ambitious plans to increase electricity generation and transmission capacity throughout the country. It also plans to expand the port at Walvis Bay and develop a transportation corridor to connect the port with neighboring countries. These efforts should provide significant opportunities for American companies to sell their products. Trade goes both ways. More exports from Namibia will help the Namibian economy grow, thus increasing demand for goods and services. If confirmed, I look forward to promoting the efforts of U.S. companies to do business with Namibia and making available the tools we can offer for Namibians to grow their economy.

Namibia has the potential to emerge as a strong leader in southern Africa. I welcome the opportunity to promote stronger diplomatic ties between our two nations and better mutual understanding among our peoples. I look forward to leading a team committed to advancing our interests and to supporting one of Africa's youngest nations as it tackles the challenges of development.

Mr. Chairman, Ranking Member Flake, and members of the committee, thank you again for the opportunity to appear before you today. I will be happy to answer any questions you might have.

Senator COONS. Thank you, Mr. Daughton.
Mr. Harrington.

**STATEMENT OF MATTHEW T. HARRINGTON, OF VIRGINIA,
NOMINATED TO BE AMBASSADOR TO LESOTHO**

Mr. HARRINGTON. Mr. Chairman, Ranking Member Flake, members of the committee, I am honored to be considered for the position of Ambassador to the Kingdom of Lesotho. I am grateful for the confidence President Obama and Secretary Kerry have shown in me by this nomination. If confirmed, I look forward to working with this committee and the Congress in advancing United States interests and supporting Lesotho in its efforts to strengthen demo-

cratic institutions, reverse the HIV–AIDS pandemic, and achieve sustainable broad-based economic growth.

At the outset, Mr. Chairman, I want to thank my family for their support during this process. In particular, I would like to recognize my father, Tracy Harrington, who traveled from Georgia to be with me today. My mom and dad took me to Tanzania at the age of 1 and Zambia was I was 11. Those experiences instilled in me a respect and fascination for other cultures and drew me to a career in the Foreign Service.

I also appreciate the support of a number of good friends and colleagues who are here today.

I am excited by the opportunity to return to the continent where I have spent much of my life, as a child, as a Peace Corps Volunteer, and as a Foreign Service officer. If confirmed, I will draw on my knowledge of the region as well as the opportunities I have had to lead interagency teams, oversee large PEPFAR Programs and MCC Compacts, and design programs to encourage effective and accountable governance. Those experiences will enhance my effectiveness in working with the government and people of Lesotho to shape what is in our mutual interests—a country that is stable, healthy, and prosperous.

A democratic Lesotho is consistent with American interests and contributes to regional stability. The United States remains a strong supporter of Lesotho's efforts to consolidate the gains achieved since the country's embrace of democratic governance in the 1990s. The parliamentary elections of 2012 produced the country's first peaceful transfer of power between political parties since independence and the establishment of its first coalition government.

If confirmed, I will work in partnership with the Government of Lesotho to continue to strengthen democratic institutions and help ensure that the progress made so far is sustained.

One of Lesotho's biggest challenges is an HIV–AIDS adult prevalence rate of 23.6 percent, one of the world's highest. Lesotho has demonstrated a strong commitment to fighting this scourge, which has devastated the country's social and economic fabric. The government covers half the cost of the total HIV–AIDS response, while most external support comes from PEPFAR and the Global Fund. As a result, the country has made substantial progress. Sixty percent of adults who require treatment now receive antiretroviral therapy, or ART, while more than half of HIV-positive women, pregnant women, receive ART to prevent transmission of HIV to their children.

These interventions, along with the recently launched medical circumcision campaign, are critical in reducing the incidence of new infections. If confirmed, I will focus on promoting the continued expansion of these key elements of the HIV–AIDS response.

As the largest bilateral donor to Lesotho, the United States plays a pivotal role in helping promote economic development in a country whose government is strongly committed to improving the lives of its citizens. This month marked the end of the 5-year implementation period for Lesotho's \$362.5 million MCC compact. Through this partnership, Lesotho is realizing significant improvements to

its water and sanitation systems, health care infrastructure, and investment climate.

As a sign of its substantial commitment, the Government of Lesotho pledged \$150 million of its own funds to cover additional costs associated with compact projects.

If confirmed, I will work with the Government of Lesotho to ensure that MCC investments are sustained and benefit as many Basotho as possible.

Finally, Lesotho is a shining example of how AGOA stimulates economic growth. AGOA has spurred a vibrant textile and apparel industry that is the nation's largest private sector employer and sub-Saharan Africa's largest exporter of garments to the United States. Lesotho is also the most improved country in Africa in the World Bank's most recent "Doing Business" report, due in part to reforms implemented under the MCC compact.

The country continues to face substantial economic challenges, however. If confirmed, I will work to encourage the Government of Lesotho to continue policy and legislative reforms necessary to promote sustainable economic growth, empower Basotho entrepreneurs, and attract foreign investment. I will also engage with the American business community to ensure U.S. companies are aware of investment opportunities in Lesotho.

Mr. Chairman and members of the committee, thank you again for the opportunity to appear before you today. I welcome any questions.

[The prepared statement of Mr. Harrington follows:]

PREPARED STATEMENT OF MATTHEW T. HARRINGTON

Mr. Chairman, Ranking Member Flake, and members of the committee, I am honored to be considered for the position of United States Ambassador to the Kingdom of Lesotho. I am grateful for the confidence President Obama and Secretary Kerry have shown in me by this nomination. If confirmed, I look forward to working with this committee and the Congress in advancing U.S. interests and supporting Lesotho in its efforts to strengthen democratic institutions, reverse its HIV/AIDS epidemic, and achieve sustainable, broad-based economic growth.

At the outset, I want to recognize and thank my father, Tracy Harrington, who traveled from Georgia to be with me today. My mom and dad took me to Tanzania at the age of 1 and later to Zambia when I was 11. Those enlightening experiences instilled in me a respect for other cultures and drew me to a career in the Foreign Service. I also appreciate the support of friends and colleagues who are here today.

I am excited by the opportunity to return to the continent where I have spent much of my life—as a child, as a Peace Corps Volunteer, and as a Foreign Service officer. If confirmed, I will draw on my knowledge of the region, as well as the opportunities I have had to lead interagency teams, oversee large PEPFAR Programs and MCC Compacts, and design programs to encourage effective and accountable governance. Those experiences will enhance my effectiveness in working with the Government and people of Lesotho to shape what is in our mutual interests: a country that is stable, healthy, and prosperous.

A democratic Lesotho is consistent with American interests and contributes to regional stability. The United States remains a strong supporter of Lesotho's efforts to consolidate the gains achieved since the country's embrace of democratic governance in the 1990s. The parliamentary elections of 2012 produced the country's first peaceful transfer of power between political parties since independence and the establishment of its first coalition government. If confirmed, I will work in partnership with the Government of Lesotho to continue to strengthen democratic institutions and help ensure that the progress made so far is sustained.

One of Lesotho's greatest challenges is an HIV/AIDS adult prevalence rate of 23.6 percent, one of the world's highest. Lesotho has demonstrated a strong commitment to fighting this scourge, which has devastated the country's social and economic fabric. The government covers half the cost of the total HIV/AIDS response, while most external support comes from PEPFAR and the Global Fund. As a result, the country

has made substantial progress. Sixty percent of adults who require treatment now receive antiretroviral therapy (ART), while more than half of HIV-positive pregnant women receive ART to prevent transmission of HIV to their children. These interventions, along with a recently launched medical male circumcision campaign, are critical in reducing the incidence of new infections, but they must be expanded. If confirmed, I will focus on promoting the continued expansion of these key elements of the HIV/AIDS response.

As the largest bilateral donor to Lesotho, the United States plays a pivotal role in helping promote economic development in a country whose government is strongly committed to improving the lives of its citizens. This month marked the end of the 5-year implementation period for Lesotho's \$362.5 million Millennium Challenge Corporation Compact. Through this partnership, Lesotho is realizing significant improvements to its water and sanitation systems, health care infrastructure, and investment climate. As a sign of its substantial commitment, the Government of Lesotho pledged \$150 million of its own funds to cover additional costs associated with compact projects. If confirmed, I will work with the Government of Lesotho to ensure that MCC investments are sustained and benefit as many Basotho as possible.

Lesotho is a shining example of how AGOA stimulates economic growth. AGOA has spurred a vibrant textile and apparel industry that is the nation's largest private sector employer and sub-Saharan Africa's largest exporter of garments to the United States. Lesotho was also the most improved country in Africa in the World Bank's most recent Doing Business report, due in part to reforms implemented under the MCC Compact. The country continues to face substantial economic challenges, however. If confirmed, I will work to encourage the Government of Lesotho to continue policy and legislative reforms necessary to promote sustainable economic growth, empower Basotho entrepreneurs, and attract foreign investment. I will also engage with the American business community to ensure U.S. companies are aware of investment opportunities in Lesotho.

Mr. Chairman and members of the committee, thank you again for the opportunity to appear before you today. I welcome any questions.

Senator COONS. Thank you very much, Mr. Harrington.

We will start with 7-minute rounds, if we might, since we have three interested members of the committee and others who may join us.

Thank you for your willingness to serve. As we heard at the opening of each of your personal statements, it is either your parents, your spouses, or both who have inspired in you a passion for service in the continent of Africa, a passion for public service, are going to sustain you in the service, God willing, that lies ahead.

Let me start with something that Mr. Childress said, but that I think sets a theme across all four of you and across all seven of the countries that we are discussing today. Mr. Childress, you mentioned that Tanzania offers a new model for Africa, our relationship with Tanzania, that builds capacity based not just on aid and assistance, but on trade and partnership.

You are going to be accredited not just to the United Republic of Tanzania, but also the East African Community. Each of these four countries are countries where the Millennium Challenge Corporation, MCC, compact is either just concluding, is in the middle of being executed, they are on the threshold of their second compact, but where it has played a very central role in economic development and in creating the conditions for significant economic growth.

Please talk in turn each, if you would, about how you intend to focus on—and each of you spoke compellingly about it—how you intend to focus on strengthening the United States economic partnership with the countries in which you may be representing us? What are the tools that you most need? How can we strengthen the MCC? There are more compacts represented just amongst the

countries, the seven of you may be representing us at, than there is funding in the MCC at the moment. Given your previous experience supervising MCC compacts and teams, how would you advise us to strengthen it?

Last, are we doing enough to engage the diaspora community within the United States, which is one of our unique competitive advantages over, for example, the Chinese or Indian or Russian or Brazilian or other investors who are seeking a larger role in the countries that you would seek to represent us in? Has the United States done as much as we could to harness the real skills and abilities of the diaspora community in the United States in terms of entrepreneurship and engagement?

So how will you as Ambassador advocate for a stronger United States role with Morocco, Tanzania, Namibia, and Lesotho? Please, Mr. Bush.

Mr. BUSH. Mr. Chairman, thank you for that question. As you know, we have had a very longstanding, very close relationship with Morocco since they recognized us in 1777. The relationship has various aspects that range from coordination of military to coordination of antiterrorism activities, but is significantly toward building an economic base that is sustainable and creates opportunities for the Moroccan people.

It is my view that our ability to help them to develop in a way that they can sustain themselves as one of the most important things we can do. I am a businessman by background and training. I am very familiar with taking a long-term view on putting in place strategic initiatives that can play out over an extended period of time.

The Millennium Challenge compact that we signed will complete at the end of this month. The initial indications are that it has been a very successful program. We have been engaged in agricultural activities. We have helped to train artisans. We have helped to develop the fishing industry. We have helped small business people to develop their businesses.

One of my priorities if I am confirmed is to work closely with the Moroccan Government; to work closely with our colleagues in the Business Council, the Chamber of Commerce; to work with those companies that appear to have business that is attractive to the Moroccan people. We need to find a way to help them to sustain themselves.

One of the things I will advocate after looking at the review of the Millennium campaign is to look at what the next phase should be. I do not anticipate we will go at the same industries. I think we should expand our focus there. But that is going to be one of my priorities.

The free trade agreement that we have with Morocco has been very successful. Since it went into effect in 2007, U.S. trade with Morocco has grown by almost 400 percent. Moroccan trade with the United States has grown by 150 percent. My view, my personal view, is that we need to continue to push the free trade agreement in a way that allows us to export more products, but also we need to be mindful that the relationship has to go the other way as well. So one of the things I will do if confirmed is to help the Moroccan

Business Council to identify additional products that they should be exporting to the United States.

Also I want to help to make sure that they have the right type of infrastructure in place that promotes trade. There are still some issues with transparency. We need to work more closely with them to have in place a business regime that is as transparent and open as it can be.

Senator COONS. Thank you, Mr. Bush. Moroccan clementines make up a significant percentage of our Port of Wilmington business, so it is of particular interest to me. A delegation from Delaware is about to go to Morocco to pursue strengthening that relationship further.

Mr. Childress, the nation of Tanzania offers a very wide range of opportunities and challenges in strengthening our relationship in the EAC as well.

Mr. CHILDRESS. Thank you, Mr. Chairman. I think it sort of comes down from my perspective to answer the variety of questions that you have asked by power, because whoever has looked at the situation in Tanzania—as you know, Tanzania has enjoyed significant growth, 6-to-7 percent a year, but it has not gotten translated into the kind of economic development that you would expect.

So the MCC folks took a look at this and they said, look, the big constraint we see is power. The Partnership for Growth folks took a look at it and they said the biggest constraint is power. The Tanzanians on “Big Results Now” took a look at what the biggest constraint was and it was power. So clearly there is sort of a twofold challenge, I think.

One is the immediate demands that Power Africa is trying to meet, which is sort of transmission-based, how do we look at places where the pickle jar is loose and we just need to take those extra few steps. I think, as you know, the Tanzanians identified several dozen of these sorts of programs, both distribution, power, et cetera. I think in the short term that is a huge opportunity for American businesses, particularly if we can make sure they have open tender processes and transparent bidding, and that is critical because it has to be on the level.

But in the longer term the real answer here, as you know, Mr. Chairman—we have talked about this. A country that has less than 20 percent of its country with electrification and a significant portion of that coming from emergency power, which is incredibly expensive—in some cases it is jet fuel—cannot sustain the kind of economic development that they have as part of their ambition.

So I think American companies can help in the immediate term, and then in the longer term—and this is, as you know, what the MCC second compact really is all about—you have to have fundamental structural reforms in the energy and power sector. That is also another opportunity for us.

So I sort of feel as if one hands off to the other. I think that there are a plethora of challenges, but to me that one is one that I think answers both your questions.

By the way, on the diaspora thing, I have to tell you I do not think from my sense that we do at all what we need to do in Africa. I talked to some of my colleagues who are ambassadors in Europe. I am incredibly impressed at the programs that they use, both the

direct line programs, but the stuff that they do. I think we all have to be more creative about that because I think that is a real untapped reserve.

Senator COONS. Thank you, Mr. Childress.

Mr. Daughton.

Mr. DAUGHTON. Thank you, Mr. Chairman. As you know, Namibia is a large country with a very small population and as a result, among other things, I think has no diaspora in the United States to speak of. But it nonetheless offers, I think, opportunities that have not yet been fully exploited for the United States. We have focused most of our attention, to be honest, on HIV-AIDS relief and on the environment in Namibia over the last 15 or 20 years.

When you look at what Namibia appears to be poised to do at this point in terms of its own internal development, I think that is where the opportunities lie. I mentioned they are looking at some significant expansion in power generation because, like Tanzania, they need more electricity. They are also looking at developing the Walvis Bay port, with the idea that it might serve as a regional entrepot for materials going into a larger market. I think both of those areas offer opportunities for American business.

The U.S. Trade and Development Agency had a reverse trade mission here just a couple weeks ago looking at the power generation sector. That seems to have attracted quite a bit of interest on the part of the Namibian participants.

I think for my purposes, in terms of what I can do in addition to seeking to promote those opportunities, Namibia has also not kept up with some of its neighbors in terms of advertising itself as an attractive place to invest and do business. I do not think the situation has gotten worse, but it has not gotten any better, and a number of their neighbors have gotten better in the process, which makes them look worse.

So one of the things that I will be looking to do is work with them to see if they can streamline the investment process for businesses that are interested in setting up, even domestic businesses, because in the end the most important thing for them economically at this point is creating an employment for their huge youth bubble. That is what the MCC compact that ends next year has been aimed at doing and I think it is made some significant progress in that respect. But there is a lot of work left to be done.

Senator COONS. Thank you, Mr. Daughton.

Mr. Harrington, if you would speak also specifically to AGOA as the country that is sort of the poster child for success.

Mr. HARRINGTON. Absolutely. Mr. Chairman, AGOA has done exactly what it was intended to do in Lesotho. It has generated a vibrant textile industry, it has generated 36,000 jobs. It is the largest private sector employer. Most of those working in the textile industry in Lesotho are women, so that it is a good news story.

I think the challenge—I see two challenges going forward if confirmed. One is working with the Government of Lesotho to create the kind of environment that is attractive to the private sector and to foreign direct investment. That was one of the key elements of the MCC compact and there has been some progress made under the compact. It is easier now, for example, to register a business.

It is much quicker to do that. It is easier to register and sell property as well.

There is more work to be done in terms of ensuring better access to credit and that is an area that I would pay attention to if confirmed.

I think the down side of the AGOA success story is that there really needs to be more economic diversification. The economy relies heavily on textile exports, SACU customs receipts, remittants from Basotho working in South Africa. So there really needs to be a broadening of the economy. That is an issue that the government has recognized as a challenge, and if confirmed I would work to address that.

One of the ways I would do that I think—as a colleague mentioned, Lesotho could do a much better job of marketing some of the opportunities for American business. I will mention just three quickly.

The area of agriculture—80 percent of the country is involved in agriculture, most of that at the subsistence level. But there are some real opportunities in commercial agriculture, aquaculture, horticulture for instance.

The second sort of major opportunity I think for U.S. business is in the area of tourism. Lesotho is the only country in the world entirely above 1,000 meters above sea level. It is a pristine environment for things like ecotourism, for things like competitions at high altitudes, for athletes, elite athletes who want to train in high altitudes. The challenge is they do not have the kinds of facilities necessary to attract those kinds of activities.

The third major category is renewable energy. Lesotho currently meets about 80 percent of its energy needs through hydropower. They are about to build another dam next year. So that percentage is going to expand. They are also looking at the possibility of building a wind farm. So in the not too distant future Lesotho may meet all of its energy needs completely through renewable sources.

So I think there are some real opportunities there for U.S. business, and we will use things like direct line and bidding systems to get that word out.

Senator COONS. That is tremendous. Thank you.

Thank you, all four, and I appreciate Senator Flake's forbearance with my pursuing one question.

Senator FLAKE. No, no problem.

Mr. Harrington, I would expect that you will be entering the Marine Corps Marathon on your return after all that high-altitude training.

I did travel to Lesotho several years ago and was struck by, one, the success of AGOA. Textile factories, as you mentioned, are quite significant. Levi is there and others. But the need for diversification is certainly there, and so I hope that you are successful in helping them broaden their economy.

Mr. Daughton, with regard to investment in Namibia, there is significant Chinese investment going on in the mining sector. Do you want to address that, and is that an area that perhaps we could look for some more U.S. interests?

Mr. DAUGHTON. Thanks, Senator. It is an interesting issue because the Chinese appear at the moment to be investing primarily

in the uranium sector for their own use, which makes a certain amount of sense because I think they are trying to secure stable sources of things like uranium.

There has not been, for various reasons as far as I can tell, much interest on the part of U.S. mining firms to doing business in Namibia. My impression is it is primarily because the South Africans have had such a tight hold on the market traditionally. I think there are probably opportunities there, but I have yet to run across any American mining firms that are expressing current interest, though I would be happy to try to find some and promote it.

Senator FLAKE. Well, good.

I know that tourism is obviously important to the country, and I would love to see more U.S. tourism there, ecotourism. One thing that struck me back at the time, I think Namibia has one of the largest populations of cheetahs in the world in the wild. We have had Americans there helping them with their program, particularly with conservation and keeping the population healthy on private ranch land and what-not. So that I think there are other opportunities with regard to tourism, and I hope that the country will pursue those.

Mr. Childress, with regard to the power initiatives, you mentioned that your effort would be to see that there are tangible benefits from these initiatives, the U.S. programs. What kind of tangible benefits in the end with regard to the power initiative can you see in terms of percentage of the population that has access to power? What tangible benefits are you looking for?

Mr. CHILDRESS. One of the things I think, Senator, that is interesting about the Tanzanians "Big Results Now" effort is that one of the things that they have adopted—and I think some of this has come, frankly, from the success of our USAID programs and other programs with the Tanzanians, is that they have been very clear about sort of setting metrics and saying, these are our deadlines about how we want to achieve things.

So they, actually, as part of this "Big Results Now," for the next 3 years they have 29 specific projects. I think their ultimate goal is to try to get from, as I said, less than 20 percent of the population with electricity to 34 percent in that period of time. That is incredibly ambitious, obviously, but I think it is important that as we get involved with them, that we apply the same sort of set of standards and metrics that we have applied in our assistance to assisting them to get the private sector in.

I will also say, by the way, that one of the things that I am really concerned about—well, interested, challenged about—is that we have a number of companies, GE, other U.S. companies, that are very familiar with the terrain in Tanzania and are very enthusiastic about their opportunities there, but I think there are going to be a number of other companies that have not really thought about it. One of the jobs that I would have if confirmed, I think is to try to identify that next layer of companies, because there are enormous opportunities, but it is not necessarily a place where American companies other than some of the ones I have mentioned have made a recourse to have as one of their standard sort of places to operate.

I think it will present, particularly as these new natural gas reserves come on line, it will present new opportunities, but not if we are not there.

Senator FLAKE. Right.

Mr. Bush, you mentioned the cooperation over a long period of time between Morocco and the United States. One of the most fruitful parts of our relationship is in the area of the war on terrorism—intelligence-gathering. How important is that in the future and what will you do to continue to foster that relationship?

Mr. BUSH. Thank you, Senator. I think that with all that is going on to our neighbors to the east, it would be very naive for us to think that we are somehow insulated from the issues in the region. So with that in mind, what I know about Morocco and our partnership is that they have worked very closely with us on counterterrorism issues. They are members of the Counterterrorism Forum. They have aggressively pursued cells in their country. Over the last 12 months or so—excuse me—since 2012 they have shut down four significant al-Qaeda cells in their country.

In the future, I think that we need to continue to work very closely with them on a cross-agency basis to make sure that we are helping them to have infrastructure in place to address this issue on an ongoing basis.

Senator FLAKE. Thank you.

Back to southern Africa for a minute. I was able to be in Namibia during those first elections in 1989 and the drafting of the constitution in 1990 and to watch that independence process and to see them go through several elections since that time. It has been heartening to see that.

We look just a couple countries away in Zimbabwe, where we have not had that experience. The poor Zimbabwean people have been through it over the past couple of decades. One thing that has been disappointing I think to all of us is that regional organizations, in particular SADC and the African Union, have not spoken out more forcefully and more on the side of democracy.

I would hope that—and we talked about this in our previous meeting. I would hope that you can impress on the governments that you will be representing us in, or with, the importance of not living up to some artificially high standard that we have set, but living up to their own documents, their own charters, with regard to SADC or the AU that they have maintained as a high standard that all of them will live up to. I can tell you, I think everyone knows that that was not the case with Zimbabwe in this last election.

As we consider trade agreements, concessionary trade agreements and what-not, that is an important thing that these countries that make representations to us with regard to compacts and charters and documents that they have set and signed and believe in, that they live up to them. So I hope that you will impress upon those governments the importance of doing that. I think that that will go a long way in Zimbabwe if we have other countries putting the right kind of pressure there.

So thank you. Thank you all.

Senator COONS. Senator Kaine.

Senator KAINE. Thank you, Mr. Chair.

To the nominees before us, congratulations. You have had distinguished careers and this is a major step you are each undertaking, and you come to the task well-qualified.

I want to focus my questions on Morocco. I am the chair of a different subcommittee of FRC and Arab North Africa is part of the Committee on the Near East, South and Central Asian Affairs. So, Mr. Bush, I am very excited about the relationship we have and about the opportunity that Morocco presents. Even though I think we are doing a lot with Morocco, I still do not think as a nation that we are doing enough to really demonstrate the opportunity.

A nation that has been an ally of the United States since the 1770s, that is a predominantly Muslim nation, with a King who is a direct descendant of Mohammed, that has a strong track record of supporting the rights of religious minorities, that has done an awful lot in recent years to promote democratic reforms, including increased inclusion of women in civic life and political office, and that has an economy that is very oriented around trade—the free trade agreement with the United States is but one of the trade agreements that Morocco has struck with nations around the world—I think offers a wonderful opportunity for us to spotlight what Morocco is doing and hold it up as an example in a part of the world that needs good examples.

Their orientation toward the West, Europe, and the United States, toward Africa, especially Francophone Africa, and toward the Middle East makes it a very pivotal player. I think that the opportunity that you will have is a remarkable one.

Could you talk a little bit about the current status of—I think the one issue that is often a point of at least some contention between the United States and Morocco is the status of the western Sahara, and what is the current status of that sort of in the United Nations? And what is the right way for the United States to play a helpful role, but not kind of overplay our involvement in that issue?

Mr. BUSH. Senator, thank you so much for that question. The western Sahara remains a very complicated story, if you will. The interests of various parties are involved—the Moroccan people, the Sahari people. It is indeed very complicated. It is also an area in which there are human rights issues that we all have to think through.

The position of the Obama administration is the same as it has been for the last five administrations, which is to support and embrace U.N. Security Resolutions 20–44 and 20–99 and to support the personal envoy, former Ambassador Chris Ross', efforts to engage on our behalf. There has not been a change in that approach and my expectation is that we will continue to work through the United Nation on that matter.

But you should know that if I am confirmed, trying to support a resolution on western Sahara will be one of my top priorities.

Senator KAINE. One of the concerns I have about the status of the western Sahara, Mr. Bush, is with the rise of al-Qaeda and terrorism in north Africa, a disputed border that is a little bit potentially porous from South Africa north, presents some real challenges, and I would not be surprised if some of the al-Qaeda oper-

ations in Morocco that you described earlier have been benefited by a border that is somewhat in dispute.

So while 20 years ago the disputed border might not have had such significant impact, I would say now it is something that I just hope that we will keep a very close eye on, because that may actually change what the United States posture should be if that disputed border is one that is exploited by terrorists, especially those that are connected with al-Qaeda. So that is something that over time I would look forward to talking to you more about and folks in the State Department as well.

Then a related issue. Because part of the complication in western Sahara is the relationship between Morocco and Algeria, what do you see that you might be able to do in the role of Ambassador to Morocco to be a bridge-builder in your way?

Mr. BUSH. Sure. Thank you, Senator. You know, I speak to my colleagues, potential colleagues, in Morocco; they make some interesting observations. Observation No. 1 is that every day there are flights from Casablanca to Algiers that are filled with business people going back and forth. At the same time, we have a border that has been closed and there does not appear to be any sign that that is likely to be opened in the near term.

It is in the mutual best interests of both of those countries to work, I believe, more closely together. It is an opportunity to build a regional economic base that can help them to shore up their defenses against external forces like al-Qaeda cells that could come and affect both of the countries as well.

If I am confirmed for this position, working with our colleagues across the State Department, working with the Moroccan Government, working with my colleague, the Ambassador to Algeria, I would expect to be actively engaged in trying to find solutions for those problems.

Senator Kaine. Thank you, Mr. Bush.

Just finally, I hope that one of the things that you might do in your capacity is to really spotlight the issues of the protection of religious minorities in Morocco and also the growing inclusion of women in political office in Morocco. Some of the recent political reforms have really advanced that, because I think both of those trends are really good examples that can be, I think, articulated in a more dramatic way, in a neighborhood where both religious liberty and the inclusion of women in political life are not what we would hope, but the fact that there is home-grown examples of it working in a positive way is something that we should spotlight.

I appreciate your testimony.

Thank you, Mr. Chair.

Senator COONS. Thank you, Mr. Kaine. Thank you for your strong interest and for your joining us today and for your leadership of the subcommittee.

We are honored to be joined by Senator Durbin, whose schedule in his leadership role is quite demanding. So I am grateful he is taking some time today to introduce Ambassador-nominee, Mr. Bush, who is also from East St. Louis and has acquitted himself wonderfully so far. But I look forward to your introduction and questions.

**STATEMENT OF HON. RICHARD J. DURBIN,
U.S. SENATOR FROM ILLINOIS**

Senator DURBIN. It reminds me of when you are on an airplane and the flight attendant says as you are about to land: Let me be the first to welcome you. I thought you were on the plane with me. [Laughter.]

To the entire panel: Thank you very much for being here.

My apologies to the committee. Something is going on on the floor today and I just learned about it—no, it has been going in anticipation of some important business on the floor and I was tied up for a little while.

But my special apologies to Mr. Bush and his family, but I do want to take a moment to acknowledge a little bit about your background that I think is an indication of why this was such a good selection by the President to have you represent us in Morocco.

I do not know if you are from a suburb of St. Louis where I grew up or the actual city of St. Louis, but we are from the same region, and I thank you. I know that your wife, Antoinette, is here with you today. Are your children, Jacqueline and Dwight here as well? Glad that they have joined you. And your special guest, your mother, Jessie Bush, is here. Thank you so much for being with us today.

Your son has brought experience as a CFO and CEO in a variety of different companies, which I will enter into the record here, but in the interest of time will not list specifically. A trustee of his alma mater, Cornell; and a special interest in Africa, including many visits to Morocco, South Africa, Tanzania, Rwanda in business and philanthropic endeavors.

We have many important shared interests in Morocco. I know that you are going to—you have already answered some questions on the subject, and I know that you are going to represent the United States very well, and I am honored to be here and say a word on your behalf.

Now, Mark Childress is another person I have known and worked with for many, many years with Senator Daschle's staff and beyond. Mark, I know of your passionate interest in Africa and I am sure that you are going to be an excellent choice in your representation; and to the others as well.

I would like to ask one general question of all of you, and start with Mr. Bush. When I visit Africa, time and again the thing I hear is the increasing influence of China on the continent of Africa, the involvement of the Chinese in so many different economic activities, investments. They are in fact—I use this word advisedly—insinuating themselves in local economies in a major way.

They believe, I think, that China is not only a growing economic possibility, but also a good resource of energy and raw materials, and they send many Chinese workers into countries in Africa and establish a long-term presence in that regard.

I would like to ask each of you, if you could, to comment on this phenomenon as you have observed it, or maybe even disagree with my premise. But what do you think about China in Africa?

Mr. Bush.

Mr. BUSH. Thank you, Senator, for that question. Also, may I thank you also for your kind words of support. May I also acknowl-

edge that I am aware that now that you are here there are at least two St. Louis Cardinals baseball fans in the room.

Senator DURBIN. And we are in real trouble.

Mr. BUSH. And that brings me a great joy because I continue to be a Redbird fan.

Mr. Senator, with respect to Morocco, it is my understanding that China has not been actively engaged in many economic activities in the country as of yet. However, I would say that I would share your concern about the growing influence that they are having on the continent, and I think that we should be cognizant of that and we should therefore be cognizant that we can have an impact on these countries as well by being perhaps a little more forthright and aggressive in helping these countries from an economic perspective as well.

Senator DURBIN. Mr. Childress.

Mr. CHILDRESS. Tanzania is a little unusual in the sense that, as you know, China for many decades was in Tanzania, almost to the exclusion of the United States because of socialism and so forth. In some ways, one might argue that the dynamic is reversing significantly, because the Tanzanians are looking more and more to the United States. This is true, by the way, not only of business, but also with the military and police and training and so forth.

President Kikwete spoke to this actually just a little while ago and made the point that, you know, look, China is going to be here. He, interestingly, adverted mainly to the sort of bilateral development programs, the stadiums and that sort of thing that China does, but made the point that United States companies bring technology and expertise that is unique to America as distinct from China.

I think that is an important point. First of all, it is very important it is in their consciousness. But I also think, and I mentioned this earlier, it is vital that we have open and transparent bid processes because to the extent that processes are on the level our American companies are going to be more than able to compete. I think that from my perspective, if I were confirmed, that is something I would be very focused on as a practical response to your question.

Senator DURBIN. Mr. Daughton.

Mr. DAUGHTON. Thank you, Senator. Namibia and China have a longstanding relationship that dates from the age when the Namibian, the current Namibian leadership was a liberation movement in southern Angola. And Namibia has an important trade relationship with China that actually benefits Namibia. It is one of their largest export markets, which makes it a slightly different dynamic than I think you see in other parts of Africa.

At the same time, the Namibians do not appear to be slavish to their relationship with the Chinese. President Pohamba recently publicly criticized Chinese employers in Namibia for their treatment of Namibian workers. So I think my impression is that the Namibians have a fairly wide-eyed or open-eyed view of what the Chinese are interested in and see their relationship with China as economically important to them.

I do not think it is a threat to us, however, because the Chinese are interested as much in the extractive industries there as anything else.

Senator DURBIN. Mr. Harrington.

Mr. HARRINGTON. Senator, thank you for the question. China has one of five bilateral diplomatic missions in Lesotho. It is a very small diplomatic community. The bilateral relationship between China and Lesotho is an active and a positive one. China's interest in Lesotho seems primarily in the realm of diplomatic relationships and in funding the construction of large government buildings.

I do not see them in Lesotho as really undermining our ability to advance our national interests. We continue to be the major bilateral donor in Lesotho and our focus in working with the Government of Lesotho is on the building of a democratic, accountable government, which has certainly not been China's focus in Lesotho.

Senator DURBIN. Thank you.

After I had met with the late President of Ethiopia, who raised this issue with me, I came back and called together all of the agencies I could think of in Washington that deal with Africa—they are pretty obvious—brought them all into one room. I think it is unfair to say it is the first time they have met, but they clearly had not spent much time together thinking about a coordinated strategy of the United States on a continent that is growing in importance by the day.

We have passed out of this committee a recommendation to move toward a new export goal for Africa and it has been bottled up on the floor by some who think we should have no government involvement in this. China does not think that, and I hope that we will be more forward-leaning, not just in promoting values but also in promoting economic relations with many countries in Africa that you represent.

Thank you, Mr. Chairman.

Senator COONS. Thank you, Senator.

Senator Murphy.

Senator MURPHY. Thank you very much, Mr. Chairman.

Thank you to our panel. You are all eminently qualified, about to embark on a wonderful journey for you and your families, and I look forward to your swift and timely confirmation.

I really have only one comment that maybe will prompt a response from you, Mr. Bush. I have spent some time in Morocco. I hope to be back there later this year and look forward to seeing you there. Of course, we are all struck by the relative stability that Morocco has enjoyed in a region and latitude that has seen a lot of strife over the past several years.

I guess I just ask you to pay attention to one phenomenon. You may have already talked about this and I apologize. But the JCO, which is the Islamic Justice and Charity Organization, in Morocco is in a lot of ways very unlike the Muslim Brotherhood, but it does represent sort of the largest grassroots opposition to the King. Again, though the parallels certainly are not complete, I just hope that while you are there that you will watch very carefully both the development of that organization as it rebounds from the death of its founder—they do seem to have stabilized somewhat and ushered in some new leadership rather quickly—but also watch the

King and the regime's treatment of that group. They do not participate in politics openly, but as we have seen other places the quiet but fierce repression of these groups in other parts of the region has obviously led in Egypt and other places to some very, very difficult transitions once that transition to democracy happens.

So I look forward to seeing you there. It is a country that I have taken great interest in over the years, a great U.S. partner, but an underlying issue there, one that simmers under the surface of a lot of our more worrisome conversations about the more violent smaller cell Islamic groups that exist in Morocco, but one that I hope that you will take an interest in as well.

Mr. BUSH. Senator, thank you so much for your comment. As I mentioned a little bit earlier, I think we would be naive to think that the issues there to our east are not issues that we should have a focus on in Morocco as well.

The good news is that we have a very strong working relationship with the Government of Morocco. We work with them on issues ranging from counterterrorism to empowerment through some of our USAID programs engaged in the type of activities that we hope will keep those type of influences at bay.

I would look forward to your coming to Morocco. If I am confirmed, I will keep this issue as an issue on the top of my head, and I will be back in touch with you to make sure that we are on point.

Senator MURPHY. Thank you very much, Mr. Bush. Good luck to all of you.

Thank you, Mr. Chairman.

Senator COONS. Thank you, Senator Murphy.

We are going to start a second round with this panel if we might. I wanted to thank Senator Durbin for his leadership on a bill that he referenced there that aims to double our exports.

My previous round of questioning was really all about the economic relationship. Now I want to talk, if I might, about our significant investment in health. In Lesotho and in Namibia in particular, we are significant contributors both through PEPFAR and through many other programs, the MCC compact in Lesotho really focusing on the health sector.

What do we need to do to achieve better results? Lesotho remains strikingly burdened by significant public health challenges, despite significant investment by the United States over a number of years. And what can we learn from Namibia, a country that, as you mentioned in your opening statement, has made the transition to significant country ownership, like South Africa is now increasingly invested in being a real partner with the United States.

So if I might, across Mr. Harrington and Mr. Daughton, what are the lessons we need to learn about how to strengthen and focus PEPFAR and our health interventions, and how do we get better results in partnership with Lesotho and Namibia?

Mr. HARRINGTON. Thank you for the question, Mr. Chairman. I would say there have been successes on the health front. Let me mention those first. In Lesotho 60 percent of those who qualify for ART treatment are receiving it. That needs to be higher. A little more than half of pregnant women are receiving ART. That needs to be higher.

The government has shown a real commitment, not only in terms of political will, but in terms of real resources that they bring to the table. They are paying about half the total cost of the HIV–AIDS response and about 70 percent of the cost of ARV’s. So that is the positive side.

I think the negative side is that, as I mentioned in my opening statement, the adult prevalence rate is pretty stubborn. It has been at about 23 percent for the last 10, 12 years. So the folks on the ground, PEPFAR, some of the government partners and multilateral partners, have recognized that really more needs to happen in the area of prevention. The numbers in that—the three major interventions I mentioned, more focus on ART’s, more women getting medication which prevents mother-to-child transmission, and a medical circumcision program, which is in the beginning stages in Lesotho, all of those need to be expanded as we move forward.

I would also mention in Lesotho the partnership framework implementation plan is beginning to wrap up. So I think we are talking with the Government of Lesotho and our multilateral donors about what the new kind of partnership looks like in terms of transitioning to host country leadership more than we have in the past.

So those are a few ideas.

Senator COONS. Thank you, Mr. Harrington.

Mr. Daughton.

Mr. DAUGHTON. Namibia as a role model. I think perhaps the thing that has come out most clearly from the success of the PEPFAR effort in Namibia is the need to develop sustainable—a human resource base, people locally who can take over the problem. The Namibians simply did not have that 10 years ago. They are now beginning to have it.

They are in the fortunate position in that they have the money to be able to pay for it. They are now paying for all of their ARV’s. They have taken over supervision and funding of all of their health care professionals as well.

Going forward, as we look to fine-tune the PEPFAR Program in Namibia to address the remaining issues and to—in essence, to make sure that we are contributing where we have the greatest chance to add value, I think that there is going to be an increasing focus on at-risk groups, who continue to be kind of the kernel of the problem. The demography of Namibia is such that, particularly because of the movement of people back and forth across the Angolan border, it makes it challenging to develop a stable treatment and public outreach campaign.

In the end, the Namibians recognize that this is a program they will have to maintain forever, in essence, and we are now past, I think, the peak of the epidemic phase and are into a kind of long-term management phase. The lessons that we draw from that will be ones that I think can probably be applied in other countries in the region.

Senator COONS. Thank you.

If I might, Mr. Daughton, just a followup. You mentioned, in response to another Senator’s question, a significant trade between China and Namibia in uranium. Has there been effort by Iran to secure access to uranium reserves from Namibia? Have they been

receptive? Is that an area of concern for you as you take over the security role as well as the development and trade role?

Mr. DAUGHTON. Thank you, Mr. Chairman. It is an interesting question and one I have looked at quite a bit, because the largest mine in Namibia is—15 percent of it is owned by an Iranian state investment corporation that has owned it since the era of the Shah actually. The mine is controlled by Rio Tinto, an Australian company. The U.S. Government as I understand it has worked very closely with both Rio Tinto and the Namibia Government to ensure both that no product from the mine reaches Iran and that no profits from the mine reach Iran. The profits in fact, their 15 percent is held by the Namibians in an escrow account, so they have no access to the money. And Rio Tinto has been punctilious, I think, in ensuring that there is no way that any product from the mine can get to the Iranians.

It is an odd situation in that they cannot get rid of them, but at the same time they do seem to have effectively walled off any Iranian access to the product of the mine.

Senator COONS. Perhaps some creative corporate lawyers from Delaware could help with the restructuring. We will see. [Laughter.]

If I could, Mr. Childress, Tanzania seems to be blessed with an abundance of U.S. Government programs. There is almost literally not an initiative that is not represented. Every initiative is represented in Tanzania in some way, at some level.

Something that really struck me in my visit to Tanzania, to Zanzibar in particular, you referenced it in your opening statement. Very proudly, one of the folks with the President's malaria initiative was announcing that we are on the verge of completely eradicating malaria from the island of Zanzibar, an island with more than a million residents about 26 miles off the coast. And I was very pleased, and we visited a number of sites and this was very encouraging. Someone sitting next to me leaned over and said, "Yes, just like we did in 1964."

I said, "Excuse me?" They said, "Yes, you know, with the help from the Americans we had eradicated malaria in 1964. It might have been 1965. All I remember is it was right around when I was born."

How do we sustain investment and development? This follows on the questions about transition to country ownership. Apparently that success wasn't sustained over time. There were other distractions.

And how, as the Ambassador, will you be able to reduce some of the siloed nature of our investments there? My trip to the PEPFAR facility there was heralded as the first time that the logos of all three of the main cooperating entities had appeared on the same sign. But if we are going to have six, seven, eight different entities from MCC to PEPFAR to PMI to Power Africa all operating under the American umbrella, how do you coordinate them, focus them, and make them more effective?

Mr. CHILDRESS. By the way, I was told by the experts apparently there has been not just the one occasion when you talked about where we apparently got into preelimination phase; there has been another one between the one in the early 1960s and this. So this

is a real and ongoing problem. But I do think our folks with respect to that specific issue are trying to be aware of the fact of what went wrong before and how to follow through.

I think you are absolutely right. One thing I know you know is that the current Ambassador, it is something of an *idee fixe* for him, this idea of having these different logos and different ideas of who is acting where within the country, and that it is all from the American people. I think he has done a lot in terms of trying to make sure at a branding level that message is delivered.

Now, in terms of programs, it is interesting. I actually think you are absolutely right, people have begun to understand that the sheer weight of the number of programs—there is a requirement that we have some synergies develop. Some of that is happening. For example, as you know, one of the key elements of the MCC Program was to build roads, also to do electricity. They took a look at some of the activities that the Feed the Future folks were doing in the southern agricultural corridor and realized if we put certain electrical distribution points in these particular places we can give cold storage facilities, we can give irrigation facilities to the Feed the Future Program. It seems simple, but it is a huge deal.

A corollary to that, the Feed the Future Program, although obviously agriculture-focused, is building and maintaining thousands of kilometers of roads in its next go-around, which is, in fact, one of the MCC's objectives. So I think that is happening.

I think as Ambassador, if I were confirmed, I think it would be really important that we do a lot more of that very rigorously.

The other thing—and this references what we were talking about before and you and I have talked about this—it really is critical, with respect to these programs, that we make the point to our friends in Tanzania that we are here today, and we are going to be here tomorrow, but that we do want to be looking for opportunities for country ownership.

As you and I also talked about, I think the Tanzanians have begun to really understand this. With respect to the MCC challenge compact, it was about a \$700 million compact.

The Tanzanians are putting in about \$130 million of their money to make sure that all the activities are completed as agreed to.

So I think there is a willingness there. They do not, obviously, have the resources of South Africa, for example, to take over the PEPFAR Program. But we have got to be looking for ways and being creative. For example, since PEPFAR has been successful in Tanzania, there are some moneys that have been released from the health care system. Can we look at maybe reinvesting those in certain programs in Tanzania?

So I really think this is an exciting opportunity for us to work with the Tanzanians and something I really look forward to.

Senator COONS. Thank you, Mr. Childress. I believe Zanzibar was the second after Morocco to begin diplomatic relations with the United States.

If I might, my last question for this panel. Mr. Bush, you bring to the table significant experience with the GAVI Alliance. Talk more broadly, if you would, about your experience in terms of their effort to vaccinate millions around the world and the benefits of

public-private partnerships in the provision of relief, as well as in economic development?

Mr. BUSH. Senator, thank you for that question. I am pleased that you have this on record because my involvement in GAVI has been one of the most significant experiences of my life. The GAVI Alliance was formed specifically as a public-private partnership to try to prove the theory that the public sector and private sector working together could be more effective than either working apart.

It has been in existence for about almost 11 years now. The initial seed money came from the Bill and Melinda Gates Foundation. They provided \$750 million, which was subsequently matched by another \$750 million. We have subsequently raised billions of dollars from countries across the world, principally in Europe, the United States. We have also raised additional moneys from the private sector.

We are active in the 72 poorest countries in the world at all times, and the population shifts as some countries graduate out or they exceed the income guidelines.

GAVI has helped to basically eliminate some childhood diseases in countries across the world. We have been extraordinarily successful. If you were to go to South Africa you could see the rates of measles going down almost to zero percent now because of what GAVI has been able to do.

I think it is a structure that should be replicated for other types of initiatives. As you know, the Gates Foundation has some similar initiatives that they have put in place, and I would encourage in a lot of the countries that are represented at this table that they think about how they can have this type of engagement to address the issues in their countries.

Senator COONS. Tremendous.

I would like to thank all four of the members of our first panel—Mr. Bush, Mr. Childress, Mr. Daughton, and Mr. Harrington—thank you, your spouses, your parents, all who have supported you in your service. I am grateful for your willingness to move forward, and I will simply echo what was said by a record number of colleagues on this committee, that we will work diligently for your swift confirmation and look forward to hearing from you in your service and to hopefully visiting you in the time that you are serving us overseas.

Thank you very much.

We will now move to the second panel, and I will mention while we are in transition Senator Flake is currently on the floor and will be returning. But we have a vote scheduled at 11:45, so we will begin the second panel if we might and we may end up suspending for a few minutes so that I might go cast a vote and return.

[Recess from 11:27 a.m. to 11:31 a.m.]

Senator COONS. We will now resume the hearing and go to our second panel, whom we are equally excited to hear from and who are going to be representing us, should they be confirmed—I know I am supposed to put it in the conditional tense—to countries that also present a wide range of development and strategic and democracy challenges.

If we could encourage folks to allow us to focus on the second panel, that would be great.

First, Ambassador Eunice Reddick, who is seeking confirmation to a post in Niger; second, Mr. John Hoover, seeking a post in Sierra Leone; and Mr. Michael Hoza, who has been nominated for a post in Cameroon. As I stated at the outset, all three of you bring a wide range of previous service, both in Africa and in the Foreign Service, and I am very eager to hear from you.

Again, I will invite you to recognize any members of your extended family or your colleagues who you would like to or who might be with you today or who you would like to recognize.

Ambassador Reddick, please.

STATEMENT OF HON. EUNICE S. REDDICK, OF THE DISTRICT OF COLUMBIA, NOMINATED TO BE AMBASSADOR TO NIGER

Ambassador REDDICK. Thank you, Mr. Chairman. I am honored to appear before you as President Obama's nominee for United States Ambassador to Niger. I deeply appreciate the confidence and trust the President and Secretary of State have shown in nominating me for this position. Thank you as well to the committee for your consideration, and I look forward to working with the Congress to advance our relationship with Niger.

My adult children are unable to be here today, but I would like to introduce Melissa Cline, who is the head of the Sahel Unit in the Office of West African Affairs, the office I just left. And I have other colleagues here from the Africa Bureau who have given me great support through the years and who I consider part of my Foreign Service family.

During my more than 30 years in the Foreign Service, I have had the great fortune to serve and travel throughout Africa, including as Ambassador to Gabon and Sao Tome and Principe. If confirmed, I will draw upon my experience to expand the close relationship between Niger and the United States as we continue to work toward our mutual goals of combatting extremism throughout the region, strengthening democratic governance, and fostering inclusive economic growth.

Despite being one of the poorest countries in the world, Niger has made such significant progress in developing democratic institutions, combating corruption, and promoting human rights that the Millennium Challenge Corporation selected Niger in December 2012 as eligible to develop a proposal for a compact. If confirmed, I will work closely with the Nigerien Government and civil society to continue this momentum for reform.

Despite some encouraging progress, Niger faces great challenges. The collapse of security in southern Libya and conflict in Mali and northern Niger have placed Nigeria at a dangerous crossroads. Extremist groups and international criminal networks exploit Niger's porous borders and long-used smuggling routes to move people and weapons between the Sahel and North Africa.

Niger has also been a victim of terrorism. In May, coordinated al-Qaeda-associated terrorist attacks against a military barracks in Agadez and a uranium mining company in Arlit took the lives of over 20 Nigerien soldiers and civilians. The United States and Niger share a common goal of combating terrorist groups and denying extremist ideology an environment to thrive. We are committed

to supporting Niger's efforts to protect its borders and build capacity to interdict illicit material and people.

Niger also has been a leader in the international response to the Mali crisis, both by providing critical support for Mali's political process and committing ground troops to the African force deployed in Mali and the follow-on U.N. stabilization mission. The United States provided Nigerien troops logistical support, training, and equipment through the Africa Contingency Operations Training and Assistance Program. Niger is also a strong partner in our Trans-Sahara Counterterrorism Partnership.

On top of great security threats, Niger also continues to face serious humanitarian challenges and persistent food insecurity. Despite its own serious humanitarian situation following a severe drought in 2011, Niger generously opened its borders to over 50,000 Malian refugees. Since fiscal year 2012 the United States has provided over \$172 million in humanitarian assistance in Niger to address food insecurity and the needs of Malian refugees.

The United States and Niger partner across a variety of programs to address the needs of Niger's most vulnerable people and build resilience to the Sahel's constant cycle of droughts.

In addition to addressing food insecurity, Niger must generate sustainable economic growth. Economic diversification, investments in infrastructure, and improvements to education are all needed to create real economic opportunities. If confirmed, I will continue to encourage the Nigerien Government to implement the economic reforms needed to attract investment and promote trade.

I will also seek to build new relationships between Nigerien and American companies, to create opportunities for trade that benefit both our countries. If confirmed, I will work to ensure that our bilateral relationship remains firmly rooted in our shared vision for a democratic and prosperous Niger. Through this partnership, I look forward to fulfilling my priorities of protecting American citizens and interests, advancing U.S. national security interests in the Sahel, and expanding mutual understanding between our citizens.

Mr. Chairman, thank you for inviting me to appear before you today. I would be pleased to answer any questions you may have.

[The prepared statement of Ambassador Reddick follows:]

PREPARED STATEMENT OF AMBASSADOR EUNICE S. REDDICK

Mr. Chairman, Ranking Member Flake, and distinguished members of the committee, I am honored to appear before you as President Obama's nominee for United States Ambassador to Niger. I deeply appreciate the confidence and trust the President and Secretary of State have shown in nominating me for this position. Thank you as well to the committee for your consideration, and I look forward to working with the Congress to advance our relationship with Niger.

I began my Foreign Service career in Zimbabwe over 30 years ago, and have since had the great fortune to serve and travel throughout Africa, including as Ambassador to Gabon and Sao Tome and Principe, and most recently, as the Director of West African Affairs in the Department of State's Africa Bureau. During my career, I have witnessed firsthand Africa's great challenges, including the effect on populations of conflict, drought, floods, and famine. More importantly, I have also witnessed an incredible growth in vibrant democracies and economies driven by phenomenal human capital. If confirmed, I will draw upon my experience to expand the strong friendship between Niger and the United States, as we continue to work toward our mutual goals of combating extremism throughout the region, strengthening democratic governance and fostering inclusive economic growth.

Niger is a committed partner of ours, who has invested its own limited resources to combat the scourge of extremism, both within its own borders and across the Sahel region. Despite being one of the poorest countries in the world, President Issoufou has—in 2½ years since Niger’s return to democracy—invested in concrete steps to break Niger’s destructive cycle of conflict and coups. Niger has made such significant progress in developing democratic institutions, combating corruption, and promoting human rights that the Millennium Challenge Corporation selected Niger in December 2012 as eligible to develop a proposal for a Compact. If confirmed, I will work closely with the Nigerien Government and civil society to continue this momentum for reform by creating strong and responsive democratic institutions, improving the delivery of government services and promoting food security.

Despite some encouraging progress, Niger faces great challenges. The country’s expansive and harsh terrain would be difficult to protect under the best of circumstances. The collapse of security in southern Libya and conflict in Mali and northern Nigeria have placed Niger at a dangerous crossroads, as extremist groups and international criminal networks exploit porous borders and long-used smuggling routes to move people and weapons between the Sahel and North Africa. Niger has also been a victim of terrorism. In May, coordinated al-Qaeda-associated terrorist attacks against a military barracks in Agadez and a uranium mining company in Arlit took the lives of over 20 Nigerien soldiers and civilians. The United States and Niger share a common goal of combating terrorist groups and denying extremist ideology an environment to thrive. We are committed to supporting Niger’s efforts to protect its borders, build capacity to interdict illicit material and people, and help return security and stability to northern Mali.

Niger has been a leader in the international response to the Mali crisis, both by providing critical support for the political process and committing a battalion of ground troops to the African-led International Support Mission to Mali (AFISMA) and an even larger 850-ground-troop contingent to the follow-on U.N. Multidimensional Stabilization Mission in Mali (MINUSMA). The United States provided those troops logistical support, training, and equipment through the African Contingency Operations Training and Assistance (ACOTA) Program.

Niger is also a strong partner in our Trans-Sahara Counterterrorism Partnership (TSCTP), through which we are working together to increase security sector capacity, address underlying causes of radicalization, and increase the voices of moderate leaders to positively influence populations potentially vulnerable to radicalization. If confirmed, I will seek to advance our already strong security cooperation to further our shared goal of denying extremist groups space to operate.

On top of great security threats, Niger also continues to face serious humanitarian challenges and persistent food insecurity. A severe drought in 2011 resulted in a humanitarian crisis in 2012 as 6.4 million of Nigeriens were at risk for food insecurity, including more than 330,000 children at risk for severe acute malnutrition. Despite its own serious humanitarian situation, Niger generously opened its doors to over 50,000 Malian refugees, who they continue to host. Since fiscal year 2012, the United States has provided over \$172 million in humanitarian assistance in Niger to address food insecurity and the needs of Malian refugees.

The United States and Niger partner across a variety of programs to address the needs of Niger’s most vulnerable people and build resiliency to the Sahel’s constant cycle of droughts. The Nigerien Government has created innovative programs to address food security, including the “3N Initiative” (Nigeriens Nourishing Nigeriens) that empowers local communities to work together to improve agricultural productivity. USAID selected Niger as one of its priority countries for the new Sahel Joint Planning Cell effort, which focuses on combating food insecurity and building resiliency among vulnerable populations through layering, integrating and sequencing humanitarian relief and development programs. In fiscal year 2012 and fiscal year 2013, the United States provided \$66.4 million in bilateral development-focused assistance to Niger for programs supporting democracy, governance, health and nutrition, and agriculture. If confirmed, I look forward to supporting these efforts and exploring new areas of cooperation.

In addition to addressing food insecurity, Niger must generate sustainable economic growth to tackle high poverty rates and improve health indicators that place Niger at the bottom of most measures of well-being. Rapid demographic growth driven by the highest fertility rate in the world threatens to overwhelm the government’s ambitious plans for development. Economic diversification, investments in infrastructure, and improvements to education will all be needed to create real economic opportunities. If confirmed, I will continue to encourage the Nigerien Government to implement the economic reforms needed to attract investment and promote trade. I will also seek to build new relationships between Nigerien and American companies to create opportunities for trade that benefit both our countries.

If confirmed, I will work to ensure that our bilateral relationship remains firmly rooted in our shared vision for a democratic and prosperous Niger that respects human rights and provides economic opportunities for all. Through this partnership, I look forward to fulfilling my priorities of protecting American citizens and interests, advancing U.S. national security interests in the Sahel, and expanding mutual understanding between our citizens.

Thank you for inviting me to appear before you today. I would be pleased to answer any questions you may have.

Senator COONS. Thank you, Ambassador Reddick, and thank you for your long service across a number of countries and across a number of functions within the State Department. I look forward to our exchange.

Ambassador REDDICK. Thank you.

Senator COONS. Mr. Hoover.

**STATEMENT OF JOHN HOOVER, OF MASSACHUSETTS,
NOMINATED TO BE AMBASSADOR TO SIERRA LEONE**

Mr. HOOVER. Mr. Chairman, thank you for this opportunity to appear before you and for your consideration of my nomination by President Obama to be the next U.S. Ambassador to the Republic of Sierra Leone. I want to thank President Obama and Secretary Kerry for their trust in me to lead the U.S. Embassy and to manage our relationship with Sierra Leone. If confirmed by the U.S. Senate, I shall uphold that trust.

Thank you, Mr. Chairman, for your comments about family members. I would like to acknowledge several colleagues from the State Department who are here from the African Bureau. We consider them to be family members also. I have an aunt and uncle here who are also observing the proceedings. And most of all, I am honored and pleased to be joined by my wife, Kathy, who is sitting behind me. She and I were married 1 day after I was sworn in to the Foreign Service 25 years ago and she has had my back and been at my side ever since then.

In the aftermath of its devastating civil war, which ended only a little more than a decade ago, much progress has been made in Sierra Leone toward consolidating peace and stability, establishing and strengthening democracy, and generating sustainable economic development. Indeed, in some respects, despite meager resources, Sierra Leone is emerging as a model for post-conflict recovery and development.

The country has held three rounds of successful parliamentary and Presidential elections since 2002, including most recently in November 2012 when the country held elections widely judged to be free, fair, and transparent.

Sierra Leone is also implementing economic reforms and opening itself up to investment. The results are encouraging, as the economy grew by around 15 percent last year. The IMF predicts the economy will continue to grow at similarly high rates for the remainder of this decade and that Sierra Leone stands poised for an economic takeoff that could propel the country to middle income status after 2020.

On the security front, whereas Sierra Leone had the dubious distinction of hosting the then-largest U.N. peacekeeping mission during its civil war, the country is now a contributor of peacekeepers to regional stability. Earlier this year a battalion of Sierra Leonean

soldiers, trained and equipped by the United States, deployed to the African Union mission in Somalia.

Yet, even as Sierra Leone rises and rebuilds, the country still faces daunting challenges. Despite rapid recent economic growth, Sierra Leone is still one of the poorest countries in the world, ranking only 10 from the bottom of the U.N.'s Human Development Index. The country also faces many tests in terms of strengthening governance and rule of law. Despite recent encouraging progress in pursuing corrupt officials, corruption remains entrenched and poses a major threat to Sierra Leone's nascent democracy and still-fragile social stability.

If confirmed, I will continue our focus on strengthening democratic institutions and norms in Sierra Leone, including continued support for anticorruption efforts. I will also work to continue U.S. support for market-oriented small farmer agricultural activity to increase employment and food security, and I will also continue our support to strengthen Sierra Leone's capacity to deliver basic health care services.

I will also promote greater transparency, accountability, and economic sustainability as Sierra Leone begins to earn significant new revenues from its abundant stock of natural resources. I will work closely with the U.S. business community to encourage greater trade and investment between our two countries as a way to spur prosperity for Americans and Sierra Leoneans alike.

In December 2012, Sierra Leone became eligible to develop a compact program with the Millennium Challenge Corporation, opening an opportunity for significant new U.S. Government investment in Sierra Leone's future. If confirmed, I will work to support successful compact development.

In addition to these policy priorities, I take as my most important responsibility the safety and security of the hundreds of U.S. citizens in Sierra Leone and the entire U.S. Embassy team, including our officers, their families, and our invaluable Sierra Leonean colleagues.

In the interest of time, I will stop there and refer you to my written statement for details of my background and experience working in Africa. Thank you, Mr. Chairman. I look forward to your questions.

[The prepared statement of Mr. Hoover follows:]

PREPARED STATEMENT OF JOHN HOOVER

Mr. Chairman, Ranking Member Flake, and members of the committee, thank you for this opportunity to appear before you and for your consideration of my nomination by President Obama to be the next United States Ambassador to the Republic of Sierra Leone. I would like to thank President Obama and Secretary Kerry for their trust in me to lead the U.S. Embassy and manage our relationship with Sierra Leone. If confirmed by the U.S. Senate, I shall uphold that trust. I am also honored to be joined here today by my wife, Kathy.

In the aftermath of its devastating civil war, which ended a little more than a decade ago, much progress has been made in Sierra Leone toward consolidating peace, establishing and strengthening democracy, and generating sustainable economic development. Indeed, in some respects, despite meager resources, Sierra Leone is emerging as a model for post-conflict recovery and development. The country has held three rounds of successful Presidential and parliamentary elections since 2002, including most recently in November 2012, when the country held elections widely judged to be free, fair, and transparent. Sierra Leone is implementing economic reforms and opening itself up to investment. The results are encouraging

as the economy grew by around 15 percent last year. The IMF predicts the economy will continue to grow at similarly high rates for the remainder of this decade, and that Sierra Leone stands poised for an economic takeoff which could propel the country to middle income status after 2020. On the security front, whereas Sierra Leone had the dubious distinction of hosting then-largest U.N. peacekeeping mission during its civil war, the country is now a contributor of peacekeepers to regional stability. Earlier this year, a battalion of Sierra Leonean soldiers, trained and equipped by the United States, deployed to the African Union Mission in Somalia.

Yet, even as Sierra Leone rises and rebuilds, the country still faces daunting challenges. Despite rapid recent economic growth, Sierra Leone is still one of the poorest countries in the world, ranking only 10 countries from the bottom of the U.N.'s Human Development Index. Sierra Leone also still faces many tests in terms of strengthening governance and rule of law. Despite recent encouraging progress in pursuing corrupt officials, corruption remains entrenched and poses a major threat to Sierra Leone's nascent democracy and still fragile social stability.

If confirmed, I will continue our focus on strengthening democratic institutions and norms in Sierra Leone, including continued support for anticorruption efforts. I will also work to continue U.S. support for market-oriented small-farmer agricultural activity and education to increase employment and food security, and basic health care. I will continue also to promote greater transparency, accountability, and economic sustainability as Sierra Leone begins to earn significant new revenues from its abundant stock of natural resources. I will work closely with the U.S. business community to encourage greater trade and investment between our two countries as a way to spur prosperity for Americans and Sierra Leoneans alike. In December 2012, Sierra Leone became eligible to develop a compact program with the Millennium Challenge Corporation, opening an opportunity for significant new U.S. Government investment in Sierra Leone's future. If confirmed, I will work to support successful compact development.

In addition to these policy priorities, I take as my most important responsibility, the safety and security of hundreds of U.S. citizens resident in Sierra Leone, and the entire U.S. Embassy team, including U.S. citizen employees, their dependents, and our invaluable Sierra Leonean colleagues.

I first served in Africa as a junior officer at the U.S. Embassy in Mbabane, Swaziland. I returned to Africa later in my career to Nairobi, Kenya, as the Counselor for Economic Affairs, and then as Deputy Chief of Mission at the U.S. Embassy in Kampala, Uganda. Most recently, I was the Director of the Africa Bureau's Office of Regional and Security Affairs. If confirmed, I would bring a strong understanding of the African Continent and the needs of its people, as well as the knowledge and experience to successfully advance our national interests in Freetown.

Thank you, Mr. Chairman for the opportunity to appear today. I would be pleased to respond to your questions.

Senator COONS. Thank you, Mr. Hoover. Your background does include a number of impressive and relevant areas of service in East Africa as well as throughout the continent.

Mr. Hoza, if I might, to your opening statement.

**STATEMENT OF MICHAEL S. HOZA, OF WASHINGTON,
NOMINATED TO BE AMBASSADOR TO CAMEROON**

Mr. HOZA. Mr. Chairman, Ranking Member Flake, members of the committee, I am deeply honored to appear before you today as the President's nominee to be the next Ambassador of the United States to the Republic of Cameroon. I thank President Obama and Secretary Kerry for the trust they have shown by nominating me for this position.

I would like to acknowledge the service and support of my wife, Suzanne, currently overseas advancing U.S. Government health programs in Ethiopia, and our two sons, Paul and Christopher. They have supported me through challenging overseas assignments, endured hardship, shared risks, and ably represented our country with pride and unflagging enthusiasm. I am truly grateful for their support, without which I would not be before you today.

I have had the privilege of serving in Africa for 14 of my 28 years of service with the Department. I have seen our diplomatic efforts yield tremendous gains in difficult places. If confirmed, I look forward to using my experience in the region to help further U.S. interests in Cameroon as well.

With one of the largest economies in sub-Saharan Africa and a landscape rich in natural resources and biodiversity, Cameroon has the potential to become an economic stalwart and serious regional player. Despite this rich endowment and notwithstanding 53 years of relative political and economic stability, the country struggles to attain food security and to combat disease. Moreover, concerns related to human rights, weak governance, and pervasive corruption continue to serve as impediments to meaningful economic growth and development.

Cameroon is a relatively stable country in a region that is decidedly less so. Recent events in both Nigeria and the Central African Republic continue to spill over into Cameroon, where an influx of new refugees is taxing local resources. The insecurity in neighboring countries, compounded with the growing threat of extremism by Boko Haram in Cameroon's Far North Region, has the potential to threaten Cameroon's security and stability.

Cameroon has taken a leading role in combating piracy in the Gulf of Guinea and is active in regional and domestic efforts against wildlife trafficking. If confirmed, I will continue to support U.S. efforts to strengthen Cameroon's military capacity to confront terrorism, piracy, and wildlife trafficking, and to encourage greater Cameroonian engagement in regional security matters.

On April 14 Cameroon took an important step toward maintaining its long-term political stability by holding the first Senate elections in its history. Cameroon is also expected to hold municipal and legislative elections on September 30. I look forward to the opportunity to build on this momentum and work in partnership with civil society and the government to support efforts to strengthen democratic institutions, enhance transparency, and promote democracy, human rights for all persons, and the rule of law.

Bilateral trade between our countries exceeded \$557 million in 2012 and U.S. exports to Cameroon have more than doubled since 2010. Should I be confirmed, I hope to build on these gains and further strengthen our economic relationship.

The kidnapping of French expatriates in Cameroon's Far North Region earlier this year demonstrated that, even in a seemingly stable and safe country as Cameroon, the threat of violence and extremism can be a reality. It has also reaffirmed that now more than ever the safety and security of our American staff and citizens overseas needs to be at the forefront of our mission. If confirmed, I will ensure that this remains a top priority for the Embassy.

Mr. Chairman, members of the committee, I thank you for this opportunity to appear before you. If confirmed, I look forward to working with the committee and others in Congress to advance U.S. interests in Cameroon. I would be pleased to answer any questions you may have.

[The prepared statement of Mr. Hoza follows:]

PREPARED STATEMENT BY MICHAEL S. HOZA

Mr. Chairman, Ranking Member Flake, and members of the committee, I am honored to appear before you today as the President's nominee to be the next Ambassador of the United States to the Republic of Cameroon. I thank President Obama and Secretary Kerry for the trust they have shown by nominating me for this position.

I would like to acknowledge the service and support of my wife, Suzanne, currently overseas advancing U.S. Government health programs in Ethiopia, and our two sons, Paul and Christopher. They have supported me through challenging overseas assignments, endured hardship, shared risks, and ably represented our country with pride and unflagging enthusiasm. I am truly grateful for their support, without which I would not be before you today.

I have had the privilege of serving in Africa for 14 of my 28 years of service with the State Department. I have seen our diplomatic efforts yield tremendous gains in difficult places and, if confirmed, I look forward to using my experience in the region to help further U.S. interests in Cameroon as well.

With one of the largest economies in sub-Saharan Africa and a landscape rich in natural resources and biodiversity, Cameroon has the potential to become an economic stalwart and serious regional player. Despite this rich endowment, and notwithstanding 53 years of relative political and economic stability, the country struggles to attain food security and to combat disease. Moreover, concerns related to human rights, weak governance, and pervasive corruption continue to serve as impediments to meaningful economic growth and development.

Cameroon is a relatively stable country in a region that is less so. Recent events in both Nigeria and the Central African Republic continue to spill over into Cameroon, where an influx of new refugees is taxing local resources. The insecurity in neighboring countries, compounded with the growing threat of extremism by Boko Haram in Cameroon's Far North region, has the potential to threaten Cameroon's security and stability. Cameroon has taken a leading role in combating piracy in the Gulf of Guinea and is active in regional and domestic efforts against wildlife trafficking. If confirmed I will continue to support U.S. efforts to strengthen Cameroon's military capacity to confront terrorism, piracy, and wildlife trafficking and to encourage greater Cameroonian engagement in regional security matters.

On April 14, Cameroon took an important step toward maintaining its long-term political stability by holding the first Senate elections in its history. Cameroon is also expected to hold municipal and legislative elections on September 30. I look forward to the opportunity to build on this momentum and work in partnership with civil society and the government to support efforts to strengthen democratic institutions, enhance transparency, and promote democracy, human rights for all persons and the rule of law.

Bilateral trade between our countries exceeded \$557 million in 2012, and U.S. exports to Cameroon have more than doubled since 2010. Should I be confirmed, I hope to build on these gains and further strengthen our economic relationship—one of the cornerstones of United States-Cameroon ties. Achieving this goal, as well as Cameroon's goal of promoting increased U.S. investment in Cameroon, will require continued attention to improving the country's business climate, addressing endemic corruption, and improving transparency.

The kidnapping of French expatriates in Cameroon's Far North region earlier this year demonstrated that even in a seemingly stable and safe country such as Cameroon, the threat of violence and extremism can be a reality. It has also reaffirmed that, now more than ever, the safety and security of our American staff and citizens overseas needs to be at the forefront of our mission. If confirmed, I will ensure that this remains a top priority for the Embassy.

Mr. Chairman and members of the committee, I thank you for this opportunity to appear before you. If confirmed, I look forward to working with the committee and others in Congress to advance U.S. interests in Cameroon. I would be pleased to answer any questions you may have.

Senator COONS. Thank you, Mr. Hoza.

We are, as ever, juggling a little bit since it is not quite clear how soon our vote will be called or not. If I might, with the forbearance of Senator Flake, I am going to invite Senator Markey to ask an initial question or two, and then I may go to vote while Senator Flake questions, and then I may return, since of the three of us I have the most time to dedicate to this as a panel. Any objection?

[No response.]

Senator COONS. Senator Markey.

Senator MARKEY. Thank you.

Mr. Hoover, thank you today for appearing before the committee. I know that you are going to make Massachusetts proud if you are confirmed as Ambassador to Sierra Leone. I just wanted to ask you this. What would be your one or two top specific goals as Ambassador?

Mr. HOOVER. Thank you, Senator, and Go Sox. That is all I can say about that.

Sierra Leone really has a great deal of needs across the spectrum. But one of the keys I see on this, Senator, is because there is a lack of institutional capacity and human capacity, in addition to a lack of resources, financial resources to fuel economic development. A key really is going to be supporting Sierra Leonean efforts to improve governance and specifically economic governance.

As I noted in my statement, the country is moving now to generate revenues from its abundant stock of natural resources. It is very important that Sierra Leone gets that right so that those resources can be used to help develop the economy in a very sustainable way that benefits all Sierra Leoneans.

Senator MARKEY. Countries in the developing world with major extractive industries are often regarded as suffering from the so-called "resource curse," where the growth of such countries is constrained because the wealth created by the industry goes to an elite few in the country. It was to combat this situation that Congress mandated that the Securities and Exchange Commission enact increased transparency rules on resource extraction projects as part of the Dodd-Frank Act, and Senators Cardin, Leahy, Levin, and I, along with former Senator Lugar, recently wrote to the Securities and Exchange Commission to urge that they release strong rules in line with Congress' mandate.

In Sierra Leone the diamond industry actually played a large role in fueling the civil war. In fact, the war began in the impoverished region that was the source of most of the country's diamonds. How has in your opinion Sierra Leone's Government sought to reform the diamond sector, a source of wealth that helped fuel the civil war, and the mining sector generally?

Mr. HOOVER. Thank you again for that question. That is an excellent question. On diamonds specifically, Senator, after the end of the civil war, as you may know, Sierra Leone and a group of other countries established the Kimberley Process, which is a certification scheme to ensure that diamond exports from countries like Sierra Leone are not used to fuel conflict. So the conflict diamond issue has essentially gone away in Sierra Leone.

Much of the diamond mining is still artisanal, which is to say informal, which is to say illegal, and the country continues to lose 15 to 20 percent of its diamond export revenues through smuggling. So that remains a problem.

More broadly, I should note that Sierra Leone joined the Extractive Industries Transparency Initiative, which is an international initiative to increase transparency in natural resource revenue flows. They are temporarily suspended, but I understand the government is working hard now to get back into compliance with EITI.

Senator MARKEY. OK, great.

Mr. HOOVER. Thank you.

Senator MARKEY [presiding]. My time has expired. The Senator from Arizona is recognized.

Senator FLAKE. Thank you. Now I can stage a coup. Chairman Coons is finally gone here. [Laughter.]

I appreciated meeting with all of you in my office earlier and I appreciated the discussion there.

Mr. Hoza, a followup with regard to Cameroon. Can you describe some of the antipiracy efforts that the United States is contributing to there?

Mr. HOZA. Yes, Senator. I appreciate that question. It talks to one of the true success stories in our bilateral relationship. U.S. personnel have combined with a special unit of the Cameroonian military to address piracy in Cameroonian waters. That program has been sustained over the course of 2 years, and in the course of 2 years incidents of piracy within Cameroon waters have been eliminated.

That is not necessarily a harbinger for success in the future without continued effort, and we look forward to sustaining that.

Senator FLAKE. Good. It is hoped that in the Gulf of Guinea we can, I think we have, move to intercept the issue before it gets as bad as it did off the coast of Somalia certainly. So that's important and we want to make sure that that continues.

With regard to the antipoaching initiatives that we have, can you describe those? Are we looking more on the finance side? How are we combating at this point the poaching activities there?

Mr. HOZA. Senator, as you are aware, Cameroon is in a unique position in that it has such a wide range of fauna, endangered species, throughout the country, but it is also on the border between the Sahel and the Congo Basin, which means it is right on the frontier of poaching. In 10 years the Cameroonian elephant population has declined from 80,000 to 5,000. So the time for action is now and it is across the spectrum.

First and foremost, we must stop the organized poaching of the savannah elephants. Last year in December, you may be very aware, professional poachers came across the desert and slaughtered 300 elephants in one raid. These are organized operations, and this is what we will work with with the Cameroonian military, to stand up an ability to receive early warning of these raids and to thwart them.

Beyond that, though, sir, the poaching, as you point out, requires a full spectrum approach. So we will be working with the Cameroonian justice system to make sure that penalties for poaching are raised to the same level as penalties for, say, drug trafficking or trafficking in persons. And we will help them to prosecute cases more successfully.

Finally, there is a third act and that is to intercept all of the routes by which the produce of poaching is transported out of the country. These are the same routes that transport people, the same routes that transport drugs, the same routes that transport arms and explosives for terrorism in the north. So it is an essential part of our program to work with the Cameroonian military to stop this traffic.

Senator FLAKE. To what extent are Cameroonians complicit in this, or is it outsiders typically that are involved? Or is there some knowledge or help received by either the military or other institutions?

Mr. HOZA. Cameroon has a very strong commitment on the part of its military, through a special unit that is committed to antipiracy, antipoaching, and counterterrorism, and we are very impressed with this unit. We are also impressed with the commitment of the Cameroonian Government to thwarting all three of these activities in their country.

Much of it comes from outside the country, but of course there are problems within the country that have to be addressed. If confirmed, this is one of the areas that I intend to focus on with much of my attention and time and much of the time and attention of the Embassy.

Senator FLAKE. Thank you.

Mr. Hoover, in Sierra Leone there is significant Chinese investment going on there. Can you describe that, and should we—is this an area that there is a U.S. alternative? I have found that most African countries, if given the choice between U.S. investment and Chinese investment, will choose the former because it is much—the local population is typically better off and more involved, whether it is resource extraction or whatever it is. But can you describe the Chinese investment there and what our response should be?

Mr. HOOVER. Certainly. Thanks, Senator, for that question, a very important question. Chinese companies are investing heavily in Sierra Leone. They are in a number of sectors, including the power sector. They are building roads. There is some talk of Chinese concerns building a new airport closer to the capital, which is a great need in Sierra Leone right now. And of course, they are investing also or looking to invest in extractive industries as well.

These are investments that in principle we should welcome. These are investments which should help Sierra Leone further its own economic development goals, which we share. The trick I think is in—and this goes back to Senator Markey's question—is supporting Sierra Leone on efforts to make sure that they have the tools in terms of economic governance to make sure that they get a good deal when they negotiate these investments, that there is accountability, that there is transparency in these investments, that these investments are socially responsible, that they meet international standards in terms of labor rights, environmental protection, et cetera.

The other piece of it is, as you alluded to, Senator, is we need to get more U.S. companies out there to compete with Chinese and other companies from around the world, because, as you say, all the good things we can do as a government I think are far outdone by what our private sector can do in these countries.

So if confirmed I will work very hard with our private sector to at least try to make them aware of the opportunities that are there in Sierra Leone in extractive industries, agriprocessing, tourism, and other sectors—power.

Senator FLAKE. We talked about tourism. I did not realize there was such potential there, but it seems to be so.

Mr. HOOVER. There is. It is a beautiful country with beautiful beaches. But because of the unfortunate legacy of the civil war, all the earlier tourism infrastructure was destroyed, and so there is an opportunity now for foreign companies. In fact, a couple of U.S. hotel chains are looking to invest or are presently investing in Sierra Leone.

Senator FLAKE. Ms. Reddick, we spoke in my office about the impact of the situation in Mali on Niger. Can you describe that? Presently, looking forward, what do we need to—specifically, let me say, we do have a drone presence, unarmed drones. It seems to be welcomed in the country, but how is it going to be perceived as you know and understand it now? You will know more on the ground there, I am sure. But what diplomatic efforts are going to have to accompany that program of the use of drones in Niger?

Ambassador REDDICK. Thank you, Senator. Niger is in what could be called a difficult neighborhood, with Mali, Libya, and Nigeria on its borders. The Nigeriens understand that they are faced with a great problem, in part because convoy routes pass through northern Niger and convoys traditionally have carried drugs, weapons, and illicit goods. We know they also are carrying extremists and terrorists involved in the conflict in northern Mali.

Nigeriens have reached out to the United States and other international partners for assistance. The political will is there. It is a democratic government that is trying to satisfy the needs of its own population. They have worked very closely with minority populations like the Tuareg. They are attempting to create a more inclusive government.

The Government of Niger has reached out for assistance to build their capacity to monitor their borders and to interdict these convoys, to try to stop the spread of extremism and the terrorist threat. We have responded with training. We are working with various types of assistance to help Niger build a crisis response unit, and a counterterrorism unit. They are working with their own population to ensure that their young people are not attracted to the extremist groups operating in the region.

I mentioned we have a number of security programs to assist Niger. We do have unarmed remotely piloted aircraft in Niger. The Niger Government has welcomed our presence and has explained to the population why we are there, and we have not had problems.

If confirmed, I do intend to make sure that I am well informed before I go out to post, but also while I am there, to ensure that the programs we have in place are coordinated with the Government of Niger. Also, as Chief of Mission, I intend to work very closely with the Combatant Commanders involved in our programs in Niger. I have already met with General Rodriguez, who heads our Africa Command, and I do look forward to maintaining close contact with him.

I think this is a partnership that serves Niger well, but also serves our own interests in stopping the terrorism threat in the region. We are working with countries in the region that have the political will and want to be part of the solution. Niger has played an important role in the political process that has led to elections and a return to a democratic government in Mali. I think the Nigeriens also want to be part of the political process that looks at

the needs of minority populations and tries to find way to make more inclusive governments in the region.

Senator FLAKE. Well, thank you.

With regard to physical security there with the Embassy, what upgrades has the Embassy gone through over the past decade in terms of setbacks and everything else? Are we where we need to be or do we still—is that a continuing process there?

Ambassador REDDICK. Yes, the Embassy in Niamey is not one of the newer embassies. It is going through a major renovation right now, which will continue into the next year, with additional security measures to be constructed in the Embassy.

I also would like to point out that following the terrorist attacks in May the Government of Niger was very responsive to the Embassy's request for certain security measures to be added to the neighborhood, and I am very pleased that we have established that type of relationship with the Government of Niger.

But I do intend, if confirmed, once I arrive at post, to get together with my security team and take a look at the renovations, what lies ahead, and what is still needed. If there are things that need to take place to better secure the Embassy for Americans and our locally employed staff, I want to make sure that information gets transmitted back to Washington as soon as possible.

Senator FLAKE. Well, thank you.

Mr. Hoza, with regard to the perception of the U.S. in Cameroon, have the programs, be it PEPFAR, be it aid with antipiracy or antiterrorism cooperation, antipoaching, have these programs bought us good will in the country? How are we perceived there?

Mr. HOZA. Senator, I think we enjoy a very positive image in the Republic of Cameroon amongst the people, first and foremost from our efforts to combat HIV–AIDS along with the Ministry of Health. Many implementing partners there are very, very effective at their programs and they are demonstrating an expertise derived from our best practices that we brought to them. Their own initiative has been impressive in trying to slow the rate of increase in the prevalence of HIV–AIDS in the country.

As far as the military to military relationship on counterterrorism, antipiracy, and antipoaching, all of these are welcomed by the Cameroonian Government and the Cameroonian people. I think they are very much aware of the terrorism threat. The recent kidnapping of a French family from northern Cameroon brought home the fact that Cameroon is not immune to the extremism that is running rampant in the neighborhood.

The important thing, though, is the way our personnel conduct themselves in the course of their interaction with military counterparts and with their professional counterparts in the health sector. We must transmit American values of respect for human rights, democracy, civilian leadership over the military in terms of the military side, but on the health care side, human rights respect for all individuals regardless of their ethnic affiliation, their religion, or their sexual preferences.

So these are the sort of values we must convey and we hope that these values will become common values with our Cameroon partners.

Senator FLAKE [presiding]. Well, thank you.

You will have to excuse me. I have got to go vote before they close it out in a minute here. We will just recess the hearing for about probably 3 minutes, until Senator Coons returns. I am going to have to stay there at a meeting afterward. I appreciate your willingness to serve and the service you have already given to the country, and I think all of you are well qualified and will represent the country well.

We will not have to recess at all, because here's Senator Coons. So thank you.

Senator COONS [presiding]. Thank you, Senator Flake.

All three of you will, if confirmed, be representing the United States in countries where the MCC plays a somewhat different role than it did in the previous and where the opportunities for economic development are significant, but not yet fully realized, and for economic partnership between the United States and the countries to which you will hopefully be appointed.

So please, if you would, just speak about how you see having been invited or being MCC-eligible playing a role and how you think we might do a more effective job at sustaining and building relationships, in particular in Niger, and then what we need to do in Cameroon in order to move toward a place where we can have a sustained economic relationship?

One of the values I place on MCC compacts, threshold compacts and then full compacts, is it requires transparency, commitment to democracy, commitment to certain sort of core principles. If I remember correctly, Cameroon is not MCC-eligible, but the other two nations are. So if you would speak to how that mechanism helps and what you see as being the best or likely focus as the countries to which you may well be confirmed go through the MCC process?

Just in order, if you would, Ambassador Reddick, Mr. Hoover, Mr. Hoza.

Ambassador REDDICK. Thank you, Mr. Chairman, for that question. In Niger the Millennium Challenge Corporation has been a motivating factor. With a democratic government in place with the political will to do better by its population, to deliver more services, to become more democratic, I think MCC has acted as a motivation to do more.

Niger has had an MCC Threshold Program that has focused on areas of investing in people, governing justly, and doing business in Niger. After the return of a democratic Government in Niger, we were able to restart the Threshold Program and construct many of the schools that were scheduled to be completed under the Threshold. That has been a very important part of investing in people. Many of these schools will bring more women and more young girls into the education system.

There has been a focus on corruption in the Threshold Program and this issue is also important to the current government of President Issoufou, so I think we are walking hand in hand down the same path with the Nigeriens under the MCC Threshold Program.

Senator COONS. Is the prospect of an MCC compact a significant incentive or is it a rounding error in the greater context of the concerns facing President Issoufou?

Ambassador REDDICK. My sense is, from my experience working in the West Africa Office and also with Sao Tome-Principe as an

MCC Threshold Program country, it is a great incentive, very much so. We have continued to see a push by Niger to continue to meet the criteria, and I am sure they are looking forward to being eligible again when the indicators are published over the next couple of months.

MCC is in Niger now considering what a good proposal for a compact will look like. I understand they are looking, in particular, at livestock, one of the major exports of Niger. Livestock depend upon water. MCC is focusing on where water sites are available for the livestock. What happens to the livestock? Well, a lot of the livestock have traditionally been exported to Nigeria. What are the constraints to maintaining these exports or increasing them? What are the trade barriers, for example? This is another area that MCC is looking at with the Nigerien Government.

The government understands very well that, for example, they do need to reduce trade barriers. They still need to work on corruption and they are doing so through new agencies within the government to attack corruption by developing cases and prosecuting those individuals involved in corruption.

I see MCC working hand in hand with governments with the political will to invest in their people, expand the economy, strengthen democracy and good governance, and bring prosperity to their citizens. Niger a very good example, and if confirmed I look forward to working closely with MCC there. From what I have seen, from my experience, what works well is when there is a development team that brings together MCC and USAID. I look forward to working with such a team when I am in Niamey, if confirmed.

Senator COONS. Thank you, Ambassador Reddick.

Mr. Hoover, does eligibility for an MCC compact have much of an impact in Sierra Leone? And if so, how would you see the trajectory playing out?

Mr. HOOVER. Thank you, Senator. I am a big fan of the MCC. Eligibility itself has already had an impact without a single dollar really being disbursed yet in Sierra Leone. Just the prospect of becoming compact-eligible has been used by the administration there in Sierra Leone, to their credit, as a way to improve their political and economic governance.

When they were made eligible last year in December, their performance on their MCC score card had improved dramatically, and that was specifically because the government had identified the MCC compact or threshold program as an incentive that they chose to pursue. So it has had a great benefit already without any money even being spent.

Currently, MCC and the Government of Sierra Leone are working toward compact development. I do not want to prejudge how that is going to come out. There are huge needs across the board in Sierra Leone. We do not know what our budget will be for the MCC compact if one materializes. But I can see investments in governance, in anticorruption efforts, in the power sector, education, health. It really is kind of the whole gamut. Again, I do not want to prejudge that, where those resources might go. But I look forward, if confirmed, to using MCC and using the compact development again to continue to shape incentives to encourage further

economic reform. And at the end of the day we hope actually to disburse some money, so that we can invest in the country's future.

Senator COONS. That is encouraging. I have noticed both in a recent trip to Liberia and a previous trip to Benin sort of a real significant focus by national leadership on what an MCC compact, or a second compact in Benin's case, could mean, not just the raw dollar value, but sort of the prestige of being deemed eligible and then deemed a partner, and the way it is delivered in terms of real partnership for the long term.

So, Mr. Hoza, Cameroon President Biya in some ways epitomizes entrenched power in Africa. It is, as you mentioned in your statement, a relatively speaking stable country, but one where the reach of its natural resources has not yet been fully developed to the benefit of its people.

What are the tools you might use in Cameroon? Is MCC even on the horizon as one of them, or are there others, to help encourage liberalization, steady progress toward democracy? And what do you think of the prospects for elections soon, if at all this year?

Mr. HOZA. Thank you, Senator. We have to be very, very clear-eyed about the challenges in Cameroon and maintain a very clear-eyed perspective on some of the shortcomings that need to be overcome. But we also have to keep in mind the importance of Cameroon to the region. Stability in a very unstable region is valuable. They are custodians of great biodiversity and custodians of much of the Congo Basin. So there is a lot at stake here.

Progress has been made. In April of this year, a senate was elected. Of 100 senators, 20 are women and 18 are members of the opposition. So we are beginning to see some steps forward.

On September 30 there will be parliamentary and municipal elections and there have been some electoral reforms, not least of which is biometric voter registration and publishing of the voter rolls on the Internet. These are all positive steps forward towards what we hope will be a democratic process of transparency that will have the confidence of the Cameroonian people.

We are looking at Presidential elections in 2018.

We have also seen some greater press freedom, particularly in the area of Cameroonian politics, and these are encouraging. Again, we must be clear-eyed. There are still severe challenges to the democratic process in Cameroon and it will be important for us to bring to bear all of our influence to improve that situation.

Senator COONS. We often face challenges when advocating for values that are rooted in America, whether it is democracy, transparency. Cameroon is a country that Human Rights Watch has identified as having one of the most aggressive anti-LGBT prosecution and enforcement efforts. What would you do as Ambassador to raise the issue of human rights broadly and also specifically to advance the rights of those whose sexual orientation makes them subject to harassment or abuse in Cameroon?

Mr. HOZA. Cameroon recently witnessed two very tragic murders of LGBT activists. Ambassador Jackson attended the funerals and has commenced a program, with the assistance of various offices back here in Washington, commenced a program to address legislation, to attempt to change legislation in Cameroon to protect the rights of LGBT individuals.

He has pressed also for a proper investigation into those murders and to bring the perpetrators to justice. If confirmed, I will continue those efforts.

Senator COONS. Thank you. I would look forward to hearing updates on your progress in that important work.

Last, you mentioned there are significant resources in Cameroon, but some real challenges in terms of transparency. Tell me about how EITI or other initiatives that are designed to improve transparency—I think Senator Markey asked about some of the SEC rules—might be applied in the private sector, in particular in extractive industries, both the transmission and the development of oil resources from Chad and then within Cameroon?

Mr. HOZA. EITI has been a very, very helpful tool. We import—the largest amount of exports from Cameroon to the United States is from their oil industry, and a significant portion of our exports to Cameroon have to do with the oil industry, whether it is in surveying for oil and natural gas or actually extracting the product from the ground. The pipeline, of course, as you mentioned, is also another important factor in Cameroon's economy.

We see a number of ways to impact transparency and a way to reduce the corruption that is endemic in the private sector in the market in Cameroon. We have seen a doubling in U.S. exports to Cameroon and we are selling things like civilian aircraft and diesel-electric locomotives, important to the development of their industries from the eastern portion of the country, drawing out the mineral and forest resources responsibly, to the new deepwater port in Kribi.

So Cameroonians see the advantage of trade with the United States and know that we have the technology and the products that they need to develop their economy. We need to capitalize on that. We need to press them to make sure that there is a level playing field, that all tenders are open and transparent, and that corruption will not be tolerated. The more we can press that issue and the more that we can ensure that our corporations adhere to all of our rules and regulations and all the rules and regulations of Cameroon, the better the trade will be.

Senator COONS. I think you are right, Mr. Hoza.

Mr. Hoover, if I might. If confirmed, you will be overseeing a relatively small embassy, mostly first or second-tour officers, in somewhat challenging, at times even difficult, living circumstances. How do you support the professional development of your staff in that kind of an environment? How do you maintain morale and ensure their safety?

Mr. HOOVER. As you pointed out, Senator—thank you for that question—it is a difficult environment in Freetown. The Embassy is pretty much supplying all of its own water, its own power, and much of its own infrastructure because of the context there of underdevelopment. So maintaining morale, maintaining unity of purpose, I think will be one of my biggest challenges if confirmed and one of my biggest areas of focus.

As you also noted, we have a lot of one-person sections at that Embassy, and often those one or two people in those sections are quite junior. I have already spoken to the deputy chief of mission there, a person I have worked with before. She and I share a very,

very strong belief in developing those younger officers. That will be one of my—in terms of the internal management and leadership of the mission, that will be one of my highest priorities, is providing those younger officers with the support they need, the guidance they need, to be fully successful, not just at the mission there in Freetown, but throughout their careers.

How do we go about doing this? It is just what you do every day, day in and day out, working with people, encouraging them and giving them the guidance they need to do good work.

Senator COONS. I know that is a challenge for all chiefs of mission.

But if I might, Ambassador Reddick. As someone who is going to a country that both faces significant challenges and has real opportunities, if I might by way of a closing question, In your opening you referenced the regional environment and how Niger has been exposed to increased violence and the potential of real terrorism, both because of southern Libya's instability, because of developments in Mali, and developments more regionally relating to Nigeria.

How do we ensure that Niger, currently a relatively staunch U.S. ally with which we have built some strong partnerships, does not become the next Mali? What are the steps we need to be taking to ensure that it remains stable and a key ally in our work in the Sahara and the Sahel?

Ambassador REDDICK. That is an excellent question, Mr. Chairman. I think we frankly need to continue what we are already doing in Niger. We have important programs in place through USAID, through MCC, that allow us to work with the Government of Niger in key areas of strengthening democratization, focusing on good governance, and improving the situation of the people of Niger.

I think this will make a big difference. It will create a more stable Niger. It has had a history of political fragility and that is why I think we need to continue to work with the Nigerien government on strengthening institutions, and also continue to work with civil society. We do work through a number of NGOs, including local NGOs, through USAID. All this empowers the people of Niger. It gives them a voice to hold their own government accountable. And the government of President Issoufou, I think, hears them and is trying to respond. We need to help them with the tools to become more resilient to these cycles of drought, and focus on diversification of crops, so if one crop fails, such as millet, then perhaps there can be a successful onion crop.

We are doing these things through USAID to make a difference for the people of Niger so that they can become more resilient to the environmental shocks of drought and famine and also flooding, which they recently experienced.

We are working in the area of education, not only building schools but focusing also on women, especially young girls, to improve the human resources of Niger so that women can fully participate in the economy.

These are just a few examples. Our government is headed in the right direction; we are doing the right thing. We need to do more of it perhaps. We could always use more resources, not only in

Niger but also in the Sahel region. We are looking at working more regionally. We have started a special unit of USAID based in Dakar that focuses on the Sahel as a region. I think this will have resonance as USAID also develops activities that will strengthen each of the countries in the region.

I am very pleased to be going out to Niger, if confirmed because there is a lot we can do. I think we are already doing some good things that will have an impact, and we are working with a very cooperative partner with the Government of Niger and the people of Niger.

Senator COONS. Great. Thank you, Ambassador Reddick. Thank you, Mr. Hoover. Thank you, Mr. Hoza. All three of these countries are countries that are valued American allies and where we have some real challenges, in stabilizing Sierra Leone and ensuring its ongoing recovery from what was a devastating civil war, and in ensuring transparency and progress toward tackling very significant human poverty challenges; in Cameroon, preserving the value of stability while still really promoting our values, democracy and openness in the economy and protecting vulnerable minorities; and in Niger, ensuring that we are helping them deal with the likely impact of climate change and become more resilient and become better able to fight poverty, but also to continue to be a real stalwart ally for us in the region.

Thank you, all three of you. Thank you to your families and co-workers and colleagues who have come today to support you.

I am going to leave the record open for a week for those members of the committee who were not able to join us today, but who may want to submit questions.

With that, this hearing is hereby adjourned.

[Whereupon, at 12:24 p.m., the hearing was adjourned.]

ADDITIONAL QUESTIONS AND ANSWERS SUBMITTED FOR THE RECORD

RESPONSE OF DWIGHT L. BUSH TO QUESTION SUBMITTED BY SENATOR ROBERT MENENDEZ

Question. Morocco's claim to the Western Sahara has caused friction in United States-Morocco relations, with its neighbor Algeria, and within the African Union. Its claim stymies regional economic and security cooperation.

◆ How can the United States facilitate political discussions around this contentious issue?

Answer. The U.S. Government continues to support the process led by U.N. Secretary General Ban Ki-moon and his Personal Envoy for Western Sahara, Christopher Ross, to find a peaceful, sustainable, and mutually agreed solution to the Western Sahara conflict. The U.S. Government, along with all the other members of the Security Council, unanimously adopted Resolution 2099 (2013), which took note of the Moroccan autonomy proposal presented to the Secretary General on April 11, 2007, and welcomed the serious and credible Moroccan efforts to move the process forward toward a resolution. It also took note of the Polisario proposal presented on April 10, 2007.

In November 2012 and March of this year, the U.N. Secretary General's Personal Envoy held broad-based consultations with the parties to the conflict, Morocco and the Frente Polisario, as well as with important regional stakeholders Algeria and Mauritania. He also consulted with the Friends on Western Sahara (France, Spain, Russia, the United Kingdom, and the United States). Ambassador Ross' work to bring the two parties together continues to hold promise and inspires hope for progress toward the resolution of this conflict. The United States supports Ross' approach of bilateral talks with the parties with the aim to launch shuttle diplomacy to work toward finding a just, lasting, and mutually acceptable political solu-

tion. If confirmed, I will work diligently to translate that support into tangible improvements.

RESPONSE OF MATTHEW HARRINGTON TO QUESTION SUBMITTED
BY SENATOR ROBERT MENENDEZ

Question. Lesotho has flourished under the African Growth and Opportunity Act (AGOA) to become the act's top nonenergy exporter to the U.S. of goods, exclusively textiles. Labor disputes, including over minimum wage, have accompanied the growth of the textile industry.

♦ Can you describe Lesotho's institutional capacity to resolve future labor disputes? What role can and should the United States play in helping to resolve these disputes?

Answer. Lesotho's primary institutional mechanism for labor mediation and dispute resolution is the Directorate of Dispute Prevention and Resolution, an independent government agency established in 2000. The Directorate effectively resolves most disputes through conciliation or arbitration, although the process can be lengthy.

The United States plays a leading role in helping Lesotho resolve labor disputes in the textile industry, which employs more than 36,000 Basotho, mainly women. The majority of textile firms exporting to the United States under the African Growth and Opportunity Act (AGOA) participate in the International Labor Organization's (ILO) Better Work Lesotho Program (BWL), which was established in 2009. BWL works with factories and unions to improve compliance with ILO core labor standards and the Lesotho national labor law, with the goal of maintaining Lesotho as an ethical sourcing destination. American buyers like Gap, Levi's, and Walmart support industry participation in the program by encouraging all of the factories they source from to enroll in the program. In addition, these buyers rely on Better Work Lesotho assessment reports rather than conducting their own periodic audits. A U.S. Department of Labor grant of \$3.3 million solely funds Better Work Lesotho for the period 2010–2014.

In 2012, the U.S. Embassy worked with Better Work Lesotho and the U.S. Department of Labor to bring experts from the Federal Mediation and Conciliation Service (FMCS) to Lesotho to train union officials and employers on communication skills and dispute resolution. FMCS returned to Lesotho in September 2013 to provide additional training in collective bargaining and problem solving at the factory level.

The labor movement in Lesotho's textile industry is fragmented, with multiple unions competing for membership; as a result, unions have reduced bargaining power with employers. Nonetheless, labor relations in Lesotho are generally positive—the textile industry experiences relatively few strikes or other mass labor actions. While in prior years unions concentrated on industrywide minimum wage negotiations, more recently their efforts have been focused on negotiations with individual factories.

RESPONSE OF EUNICE S. REDDICK TO QUESTION SUBMITTED
BY SENATOR ROBERT MENENDEZ

Question. Niger struggles with security issues due to ongoing threats from Boko Haram, AQIM and affiliated groups, and broad regional security challenges. What are Niger's existing counterterrorism capabilities? What is the extent of United States-Niger counterterrorism efforts? Do they meet the needs of the United States to protect U.S. interests in the region?

Answer. Niger is a committed partner in combating terrorist groups and extremist ideology throughout the Sahel. Our relationship enjoys broad-based support from the government and people of Niger and is cognizant and reflective of Nigerien priorities, interests, and concerns.

The United States has long supported the Government of Niger's efforts to secure its borders and counter the threat of extremism. Under the Trans-Sahara Counterterrorism Program (TSCTP), the United States provides training and equipment to Niger. Support under this program aims to increase security sector capacity, address underlying causes of radicalization, and increase the voices of moderate leaders to positively influence populations potentially vulnerable to radicalization.

We are also working closely with Niger to support the deployment of the U.N. Multidimensional Stabilization Mission in Mali (MINUSMA). Niger has committed an 850-ground-troop contingent to the mission, almost all of which have already

deployed to Mali. The United States provided those troops logistical support, training, and equipment through the African Contingency Operations Training and Assistance (ACOTA) Program.

Niger provides critical support for U.S. regional security goals throughout the region. U.S. Africa Command has positioned unarmed remotely piloted aircraft in Niger to support a range of regional security missions and engagements with partner nations. This effort is designed to promote regional stability, and to strengthen relationships with regional leaders committed to security and prosperity.

RESPONSE OF DWIGHT L. BUSH TO QUESTION SUBMITTED
BY SENATOR JOHN BARRASSO

Question. The United States is the most competitive supplier of soda ash in the world, due to the abundance of the raw material trona in our country. U.S. natural soda ash is refined from the mineral trona. The Green River Basin in Wyoming has the world's largest known deposits of naturally occurring trona. Soda ash is a key component of glass, detergents, soaps, and chemicals. American soda ash has long been regarded as the standard for quality, purity, and energy efficiency in production.

As I have discussed in this committee before, soda ash continues to face significant trade barriers around the world. Since 2009, the U.S. soda ash industry has urged the administration to press the Government of Morocco to live up to the U.S.-Morocco Free Trade Agreement by permitting U.S. origin soda ash to enter duty-free. Instead, Morocco imposes a 2.5 percent duty while this country's European competitors enter their soda ash duty-free under the EU-Morocco Free Trade Agreement.

In your testimony before the Senate Committee on Foreign Relations, you committed to "working to increase commerce with this key ally."

- ◆ Will you commit to me that you will strongly advocate to resolve the problem of the duty being levied on U.S. soda ash to Morocco?
- ◆ Please outline what efforts you will take as U.S. Ambassador to the Kingdom of Morocco to ensure that Morocco finally lives up to its free trade agreement with the United States by granting U.S. origin soda ash duty-free treatment.
- ◆ As Ambassador, will you diligently pursue every opportunity to eliminate trade barriers and increase exports for all U.S. industries?

Answer. I will commit to you that I will strongly advocate to expand wherever possible opportunities for the U.S. soda ash industry to penetrate the Moroccan market. The U.S.-Morocco Free Trade Agreement (FTA) came into force in January 2006, and on the first day that the treaty came into effect, 95 percent of goods and services became tariff-free. All remaining tariffs are to be eliminated by 2015. From entry into force through the end of 2012, the FTA increased overall trade by 244 percent, from \$927 million to \$3.2 billion; exports of U.S. products to Morocco soared 369 percent from \$481 million to \$2.3 billion and U.S. investment in Morocco jumped sharply.

The United States Trade Representative leads the Joint Committee on the Free Trade Agreement to discuss the implementation of the FTA. During these committee meetings, the United States Trade Representative will work diligently to ensure that Morocco fully lives up to its commitments under the FTA. Recent bilateral discussion on joint principles for investment as well as a new agreement to facilitate trade through common customs procedures should help further open the Moroccan market to U.S. exports and investment. If confirmed, I will diligently pursue every opportunity to eliminate trade barriers and increase exports for U.S. industries.

**NOMINATION OF TOMASZ MALINOWSKI,
KEITH HARPER, CRYSTAL NIX-HINES, PAM-
ELA HAMAMOTO**

TUESDAY, SEPTEMBER 24, 2013

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

Tomasz P. Malinowski, of the District of Columbia, to be Assistant Secretary of State for Democracy, Human Rights, and Labor
Keith M. Harper, of Maryland, to be the United States Representative to the United Nations Human Rights Council
Crystal Nix-Hines, of California, to be the United States Permanent Representative to the United Nations Educational, Scientific, and Cultural Organization
Pamela K. Hamamoto, of Hawaii, to be Representative of the United States of America to the Office of the United Nations and Other International Organizations in Geneva

The committee met, pursuant to notice, at 2:31 p.m., in room SD-419, Dirksen Senate Office Building, Hon. Barbara Boxer presiding.

Present: Senators Boxer, Coons, Rubio, and McCain.

**OPENING STATEMENT OF HON. BARBARA BOXER,
U.S. SENATOR FROM CALIFORNIA**

Senator BOXER. Good afternoon. Today the full Senate Foreign Relations Committee meets to consider four very important nominations. I want to say welcome to all of our nominees and congratulations to you on your nominations.

I am also so pleased that Senators McCain and Coons will say a few words about two of our nominees. So I am going to make an extremely brief opening and I am going to kick it to Senator Coons because he has a time issue, take it to Senator McCain, unless Senator Paul comes in and needs to make an opening statement. I do not believe so. So that is what is going to happen here, and then of course we will hear from all of you.

Our first nominee, Tom Malinowski, has been nominated to be the Assistant Secretary for Democracy, Human Rights, and Labor. He most recently served as the Washington Director for Human Rights Watch, where I got to know him. Prior to this Mr. Malinowski, an Oxford graduate and Rhodes Scholar, served in a

number of important positions, including as a Senior Director on the National Security Council under President Clinton. He has written prolifically about human rights abuses around the globe.

Our second nominee, Keith Harper, has been nominated to serve as the U.S. Representative to the United Nations Human Rights Council. He is a member of the Cherokee Nation of Oklahoma and has spent a significant part of his legal career fighting for the rights of Native Americans. He has also served as a trial court judge. If confirmed, he will join a small number of Native Americans who have held the rank of U.S. Ambassador.

Our third nominee, Crystal Nix-Hines, has been nominated to serve as the U.S. Representative to UNESCO. She is a Harvard Law School graduate with an accomplished legal career and spent many years in private practice and clerked for Supreme Court Justices Thurgood Marshall and Sandra Day O'Connor. Ms. Nix-Hines has also held several positions at the State Department.

Our final nominee, Pamela Hamamoto, has been nominated to serve as U.S. Representative to the Office of the United Nations in Geneva. She worked for many years in the private sector, including as an executive at Goldman Sachs and Merrill Lynch. She chose to devote her time since then to serving her community, and particularly underprivileged students, and advocating on behalf of women and girls.

So if you are all confirmed, which is certainly my hope, you will play an important role, each of you, in ensuring that U.S. foreign policy continues to reflect our values, including protecting human rights, promoting democratic governance, and ensuring international collaboration on a range of topics.

This is so important because we live in a very tough world today, where women are brutally raped, abused, and murdered simply because they are women and where girls have acid thrown in their face simply because they want to go to school. We live in a world where vicious dictators like Syrian leader Assad will go to whatever extremes necessary to maintain their grip on power, even gassing their own people. And I am proud of this committee for taking a stand against that, especially to my two colleagues who happen to be here at this time.

In too many places, democracy and human rights seem to be headed down a dark path. But America is still the beacon of light and hope. So when you are confirmed you will be at the forefront of these great challenges. You are all examples of the American dream. I was thinking about that on the way over. And you do embody that spirit of America.

So I believe you are all up for it and I thank you for stepping forward for your country, and I thank you families.

At this time I will turn to Senator Coons, followed by Senator McCain.

Senator COONS. Thank you, Madam Chair. Thank you for the opportunity to participate in today's confirmation hearing.

I am very pleased to introduce my good friend, Crystal Nix-Hines, who has been nominated by the President to serve as U.S. Permanent Representative to the United Nations Educational, Scientific, and Cultural Organization, or UNESCO. Having known Crystal for the better part of our lives since growing up together

in Delaware, it is without reservation that I proudly voice my enthusiastic support for her nomination.

Crystal has a long career of distinguished service as a reporter, attorney, and adviser at the State Department that has nearly perfectly prepared her for this critical and challenging role. She began her career as a reporter for the New York Times and has continued a lifelong commitment to writing and the arts, which are particularly relevant to UNESCO. In fact, she has served as a writer and producer on several network television shows, "Commander in Chief," "Alias," and "The Practice."

But her writing has also been with purpose. Throughout the nineties she held positions at the State Department, including counselor to the Assistant Secretary for Democracy, Human Rights, and Labor, member of the Department's Policy Planning Staff, and special assistant to the Legal Adviser. These experiences built on the very strong foundation of her legal career, which began at Harvard Law School and continued, as you mentioned, with distinguished clerkships for the Ninth Circuit Court of Appeals and the United States Supreme Court.

If confirmed, Crystal would proudly represent the United States at UNESCO in advancing human rights, tolerance, and education globally. Her career in public service is deeply rooted in her family's enduring commitment to public service. I am thrilled that her mother, Dr. Lula Mae Nix, is here with us today. Her mother and father are an important part of the fabric of the civil rights movement in our home State of Delaware and she and her large extended family have played a significant role in our State.

She also is supported by her husband, David, her children, Julia and Samuel, and is someone who I know will represent us in absolutely the finest tradition of the Foreign Service and will bring all of her strengths and skills to bear. I enthusiastically endorse her nomination today.

Thank you.

Senator BOXER. Senator Coons, thank you so much.

Senator McCain.

Senator McCAIN. Thank you, Madam Chairman.

When Tom Malinowski asked me for my assistance and support for his nomination to be Assistant Secretary of State for Democracy, Human Rights, and Labor, I was pleased to offer it. And I told Tom I would be happy to praise him publicly or criticize him publicly, whichever would be more helpful to him. [Laughter.]

It turns out that Tom wanted me to say a few kind words about him here this afternoon, and I believe he even brought his mother to keep me on my best behavior.

Is your mother here, Tom? Welcome, ma'am. I will try to be as nice as is possible for me. I thank you.

I could spend the rest of my day praising Tom Malinowski, but that would cut into the time I might have to beat him up with our concerns about human rights. So I will always be brief. I always refrain from indulging in speculation about what I would do if I were President, but I will break that rule a little today to say this: Had I been President, I could imagine no one better for this important job than Tom Malinowski.

I say this not because Tom is a closet Republican—he certainly is not; I think he may be a socialist—and not because Tom and I agree on everything—we certainly do not. But what Tom and I do share and what I admire most about him is his unwavering dedication to the principles that make America the exceptional Nation that it is and to making these principles an integral part of our Nation’s foreign policy.

Tom is a consummate professional who lives his conviction that America’s values belong to all Americans and that they are the responsibility of all Americans to protect and promote. But it goes beyond that. Tom understands that these principles, democracy and freedom, rule of law, human rights and dignity, these are not just ideas that we tilt at rhetorically. They are the essence of who we are as Americans and for millions and millions of people across the globe for whom these principles are still more a dream than a reality, these values are the difference between prosperity and poverty, liberty and tyranny, hope and fear, and even life and death.

Tom believes this deeply because he has worked his entire career with and on behalf of these people who are striving for democracy and human rights. He has seen their struggles and heard their dreams firsthand in places like Burma and often at risk to his own safety in places like Libya and Syria. He has drawn on all of these experiences to further the highest calling of all Americans, to serve our Nation and to make it better.

This is the contribution Tom made most of all in the fight here in Congress to end torture, and I am forever grateful to him for that. This is what Tom Malinowski has done and this is what he will continue to do if confirmed for this post, and this is why I am so pleased to recommend Tom’s nomination to all of my colleagues on this committee and in the rest of the Senate.

I thank you, Madam Chairman.

Senator BOXER. Senator, thank you so much for your eloquent remarks.

What we are going to do is start with Tom and then move down this way. As we discussed, each of you has 4 minutes to make your case. Just all we want is the lifetime of your experience boiled down to 4 minutes. But we also want to give you time to—if you have family here, that will not count against your time. We will start the clock after you have introduced your families. So if family is here, please take the time to do it.

Tom Malinowski, please.

STATEMENT OF TOMASZ P. MALINOWSKI, OF THE DISTRICT OF COLUMBIA, NOMINATED TO BE ASSISTANT SECRETARY OF STATE FOR DEMOCRACY, HUMAN RIGHTS, AND LABOR

Mr. MALINOWSKI. Thank you so much, Madam Chair and Senator McCain. I am the one who is grateful to you.

You have met my mom. My daughter—

Senator BOXER. Why don’t you stand. All right. You did a good job. [Applause.]

Mr. MALINOWSKI. That is the best part.

My daughter Emily is watching on the video feed on the Web site from Colby College, where she is cutting an International Relations class to see this. So I think that is a good move on her part.

Chairwoman Boxer, you probably do not remember this, but you were present the first time I appeared before a congressional committee. I was 20 years old. I was a student at Cal-Berkeley.

Senator BOXER. And I was 22.

Mr. MALINOWSKI. Yes. And you had recruited me to come talk to the House Budget Committee about student financial aid, and I was absolutely terrified. But you were very encouraging, and you not only said at the end of the hearing that you would send my testimony to President Reagan, but that you would put it in the "Congressional Record." And for a nerdy little kid like me that was like having a record on the pop charts.

That experience really was one of the things that gave me confidence to go into this line of work. So in some ways I might not be here if not for you.

It is obviously a singular honor to be nominated for this position by President Obama while being introduced by Senator McCain. Senator, as you can imagine, people who know my political affiliation sometimes ask me how come I get along with you so well. I recently thought of an image that sums it up for me, so if you will indulge me.

It came to me right after a really painful moment in our recent history, the Boston Marathon bombing. I was watching with most Americans the TV images of what happened that day, and I noticed something amazing that you probably saw, too. Most of the people who were there naturally ran away from the blast, but there were a few people who did exactly the opposite. They ran straight for the fire and the smoke. They had no idea what they would find there or how much danger they were in. They just knew there were people there who needed their help, and so they ran straight for the trouble.

That is how I think of you. You run straight at the hardest problems even when the risks are high and the rewards for you are very small. You know that this approach to life is better and more honorable than the alternative, and I thank you for it.

[Applause.]

Mr. MALINOWSKI [continuing]. Now, I happen to think that image captures our country at its best moments as well. That is the America that stood up for the Baltic independence movements and Burmese democrats and Libyan freedom fighters, the American that President Obama spoke for at the U.N. just a few hours ago when he said that we would never stop standing for our principles in the world, the America that's been debating for the last few weeks what we should do about the atrocities in Syria. However that debate comes out, I think the mere fact that we are having it marks our Nation as exceptional.

It is the America I grew up admiring as an immigrant from Poland. Here are some of the most proud moments of my life in that spirit: standing with President Clinton in Warsaw, celebrating with Poles their admission to NATO; going to Sarajevo in 1996 and seeing that city restored to life after we had helped end the genocide in Bosnia; going to Burma just last year and greeting activists just released from prison who credited America for their freedom.

And here are some of the toughest moments: hearing people from still-suffering places ask me: What about us? Refugees from North

Korea, Tibetan Chinese refugees, or the Syrians I met last year in the Aleppo countryside, who would come out of their homes when they heard that I was an American to plead for our help. It is very hard to explain to people in that situation that we cannot be there for everybody every time. But those moments when people turn to us and only us are a measure of our importance and a reminder that the blessings of being American are inseparable from its burdens.

There are a lot of challenges that I hope we will have a chance to work on together if I am confirmed. I mention a few in my prepared testimony, which I hope you can put in the record. How to counter the global crackdown on civil society. How to ensure that the Arab Awakening leads to stability and respect for the rights of all people, including women and religious minorities, from Egypt to Libya to Bahrain, and of course in Syria. How to influence the debate under way in emerging powers like China about the values they will embrace as they grow in influence. How to preserve fragile gains for human rights, especially women, in Afghanistan as we draw down; how to ensure that the decisions we make as a country on issues like surveillance and detention and targeted killing protect our security while also enabling us to project our message to the world about liberty and law. There are so many more.

When we confront hard challenges like these, it is tempting to say things like, “we have no good options,” and “our influence is limited.” If I am confirmed, I am going to try my best when you call me up here to avoid using such phrases. After all, our influence is never unlimited. And we never have good options when a debate comes to the level of a Senate Foreign Relations Committee hearing, that is a good sign that there are no easy options.

The job of the State Department official, it seems to me, is to figure out how to use limited influence to solve the toughest problems, recognizing that we may sometimes fail but must always try.

I think we are still the best hope, Madam Chair, for people struggling for human rights around the world, and that their success is still our best hope for the world we want.

If confirmed, I look forward to working with you to realize that hope.

Thank you.

[The prepared statement of Mr. Malinowski follows:]

PREPARED STATEMENT OF TOM P. MALINOWSKI

I am grateful to be here as President Obama’s nominee to be Assistant Secretary of State for Democracy, Human Rights, and Labor.

Madam Chairman, you probably do not remember this, but you were present the first time I ever appeared before a congressional committee. I was 20 years old and a student at UC Berkeley. You were a member of the House Budget Committee under Chairman Bill Gray, and you recruited me to testify about federal funding for student financial aid. I was terrified. But you were encouraging. And when I was done, you said you’d send my testimony to President Reagan, and, better yet, put it in the Congressional Record, which, for a nerdy kid like me was like having a record on the pop charts. That experience helped give me the confidence to go into public life. So I might not be here if not for you.

Three years ago, speaking to the United Nations, President Obama said that “part of the price of our own freedom is standing up for the freedom of others.” To be asked by the President to help him and Secretary Kerry give life to that conviction is the greatest honor of my career.

It is also a singular honor to be nominated for this position by President Obama while being introduced by Senator McCain. I take this as a reminder that the cause of human rights unites Americans, no matter what party we belong to or how much we argue about the issues of the day. If confirmed, I will do everything in my power to deepen the bipartisan consensus for America's defense of liberty around the world, and to conduct myself in that spirit at all times.

Senator McCain, as you can imagine, people who know my political affiliation sometimes ask me, how come I get along with you so well? I recently thought of an image that sums up why that is better than any recitation of what we've worked on together. It came to me in the instant after a terrible moment in our recent history, the bombing at the Boston Marathon. Like most Americans, I watched the scenes of what happened that day on television. And I noticed something amazing: while most of the people there naturally ran away from the blast, a few ran right toward it. They could not have known what had happened or how much danger they were in; they just knew instinctively that somewhere in the smoke and chaos people needed their help. And that's how I look at you, Senator. You run straight at the hardest problems, even when the risks are high and immediate rewards small. You may have noticed that sometimes, when we run toward trouble, we get in trouble. But you also know that this approach to life is more rewarding and honorable than its alternative.

I think that image captures our country in its finest moments as well. It explains the America that gave so much to rebuild Europe and Japan after WWII, the America that stood up for the enduring struggles of Baltic independence movements and of Burmese democrats and of those seeking freedom in Libya, the America that takes in refugees from repression and war even when it offends governments with which we must do business, the America that tries to make peace where it might be easier to disengage and resign ourselves to perpetual conflict, as former Senator Feingold will be doing in Central Africa and Secretary Kerry is doing in the Middle East. It describes us today, debating how to aid Syrians being killed by a brutal dictator—wherever that debate leads us, the mere fact we are having it marks our Nation as exceptional.

That's the America I grew up admiring, as an immigrant from Poland who'd seen how powerless people behind the Iron Curtain drew strength from having the world's most powerful country on their side. In my life, nothing has made me prouder than standing with President Clinton in Warsaw celebrating with Poles their admission to NATO, the culmination of what many thought a quixotic American quest to free Europe's captive nations, or going to Sarajevo and seeing that city restored to life after America helped end the genocide in Bosnia, or going to Burma last year and greeting activists just released from prison who credited America for their freedom. Those moments aside, I have found nothing harder than hearing people in other, still-troubled places ask me "why can't your country help end the repression in ours?"—whether refugees from North Korea, Tibetan Chinese exiles, or the Syrians I met last year in the Aleppo countryside, who would come out of their homes when they learned I was American to plead for our assistance. How do you explain to someone in that situation the undeniable truth that we cannot be there for everyone every time? It's troubling to see their disappointment sometimes morph into resentment against the United States. But we should remember that such anger is often nothing more than the flip side of hope that we will do more to live up to our highest ideals, which are reflected in the world's expectations of us. It is a measure of our importance, and a reminder that the blessings of being American are inseparable from its burdens.

All around the world, I think people have this in common: they don't want to live unnaturally, in fear, denied basic freedom and dignity. When people are forced to live this way, they eventually resist. That resistance, as we have seen from the fall of the Soviet Empire to the start of the Arab Awakening, drives history. And because of who we are, they expect the United States to stand with them. We cannot always respond as they wish. But when we vindicate their faith in us by defending the ideals we share with them, we emerge stronger and better able to advance our national interests. We gain allies of an enduring, not transactional, nature. We project confidence in ourselves. We promote the ascendance of ideas, institutions, and leaders that make the world more peaceful, prosperous, and welcoming of American leadership. Even if I didn't care about right and wrong, I would argue that advancing democratic ideals and human rights is one of our paramount interests. Our commitment to live by and promote those values is our comparative advantage, a strategic asset as worthy of protection as our military strength and economic base. These are some of the convictions that will guide me if I am confirmed.

There are many challenges I hope we will have a chance to work on together. Looking ahead, here are a few key questions on my mind:

How can we counter the global crackdown on civil society—the proliferation, from Russia to parts of the Middle East, Asia, Latin America, and Africa, of laws and practices aimed at making it impossible to form and fund independent organizations that hold governments accountable? By the same token, how can we best ensure that countries moving away from authoritarianism, such as Burma, continue to do so?

How can we increase the likelihood that the Arab Awakening will lead to stability and respect for human rights for all, rather than conflict, suppression of women and religious minorities, and a return to authoritarianism? There are distinct challenges in Tunisia, which has made progress that must be sustained; in Libya, where a society eager for democracy and partnership with us is threatened by armed militias; in Yemen, where an inclusive National Dialogue is underway; in Egypt, where a full return to democracy and civilian rule is vital to giving everyone in that polarized country a stake in nonviolent politics; in Bahrain, where we must keep pressing for a political compromise that avoids deeper instability and protects human rights, and of course in Syria, where a chance for success in preventing massacres by Sarin gas should increase our determination to stop mass murder by bullets, bombs, artillery, and deprivation.

How can we best contribute to the debate underway in the world's emerging powers about the values they will embrace and project as they grow in influence? This question is especially important with respect to China, where more and more people are asking for greater political openness, freedom of conscience, and respect for the rule of law, but a significant crackdown on dissent is underway.

As we diminish our military presence in Afghanistan, how can we ensure that fragile gains for human rights continue? I am particularly determined that we meet our responsibility to Afghan women, and press the Afghan Government to do the same, remembering that there is a strong correlation between advances for security in Afghanistan and advances for women's rights.

Cyberspace has been key to many recent advances. It is the strategic space where a growing proportion of the world's people exchange goods and ideas, and it has been governed by values very consistent with our own. The multistakeholder model of Internet governance has helped to preserve, enhance, and increase an open, global Internet. We have a stake in keeping it that way, and ensuring that global citizens continue to enjoy the same freedoms online as they do offline. How can we best continue to promote the multistakeholder governance model while forging a strategy for cyberspace stewardship that protects privacy and enhances security?

More broadly, when we face tough questions on issues like detention, surveillance, and targeted action against terrorists, how can we continue to protect our security while reinforcing our message to the world about liberty and law?

Let me close with a final point: When we confront painful human rights problems around the world, whether in Syria or Zimbabwe or Cuba or North Korea, it is tempting to say things like “we have no good options,” and “our influence is limited.” If I'm confirmed, I will try my best to avoid such phrases. After all, our influence is never unlimited. And if a problem has reached the desks of senior officials in our government, that probably means the solutions are not obvious or require hard tradeoffs. The job of a State Department official is to figure out how to use limited influence to address those tough challenges, building coalitions inside and outside of government, recognizing that we may sometimes fail but must always try.

It is America's potential, not our past, that gives me confidence in what we can achieve if we do try. We are and will remain for the foreseeable future the most wealthy, powerful, creative, resilient, adaptive country on earth. Despite our domestic challenges and healthy wariness of foreign entanglements, we are still the best hope for people struggling for human rights around the world, and their success is still our best hope for the world we want. If confirmed, I look forward to working with each of you to help ensure that we continue to realize that hope.

Senator BOXER. Thank you for your beautiful opening statement.

Now we will turn to Mr. Keith Harper of Maryland, to be the United States Representative to the United Nations Human Rights Council. Welcome, sir.

STATEMENT OF KEITH M. HARPER, OF MARYLAND, NOMINATED TO BE THE UNITED STATES REPRESENTATIVE TO THE UNITED NATIONS HUMAN RIGHTS COUNCIL

Mr. HARPER. Thank you, Chairman Boxer.

Senator BOXER. Make sure that you turn on your—and please introduce any family if you have them with you.

Mr. HARPER. Thank you, Chairman Boxer. I do want to introduce my wife and partner, Shelby Harper, who has supported me today and always.

Senator BOXER. Welcome.

Mr. HARPER. Chairman Boxer and distinguished members of the committee, thank you for the opportunity to appear before you today as President Obama's nominee to serve as the United States Representative to the United States Human Rights Council. I am honored to be here today and grateful to the President and Secretary Kerry for their confidence in nominating me for this important position.

I have spent many years as an attorney defending the rights of Native Americans domestically and seeking protections of indigenous peoples internationally. This experience has instilled in me a deep and abiding commitment to protecting and advancing the human rights of all individuals.

The United States has been a vocal and leading champion of rights enshrined in the Universal Declaration of Human Rights, driven not only by the founding values of our Nation, but also by the conviction that international peace, security, and prosperity are strengthened when human rights and fundamental freedoms are respected and protected.

The promotion and defense of these values has been a cornerstone of the Obama administration's foreign policy. That commitment is perhaps no more evident than in the administration's decision to seek a seat on the Human Rights Council in 2009 and successfully campaign for reelection in 2012. The fact is U.S. leadership on the Human Rights Council matters. The experience of the last few years demonstrates the importance of American engagement. Let me provide you a few examples of the progress made.

Led by the United States, the council created a special rapporteur on the rights of freedom of peaceful assembly and freedom of association. The United States played a critical role in establishing a special rapporteur for Iran. The United States worked with a broad coalition of international partners, established commissions of inquiry to investigate gross systematic human rights violations of the Qadafi regime and then with respect to North Korea.

The United States leadership was key in addressing the deteriorating human rights situation in Syria. The council established a commission of inquiry that is providing invaluable reporting about ongoing atrocities. Strong U.S. leadership is vital to the council's continuing success.

Members of the committee, in my estimation there is no greater honor than to have your President ask you to serve your Nation. I recognize that I owe much to the opportunities this country has afforded me. If confirmed by the Senate, it would be a privilege indeed to serve this country in this new capacity. If confirmed I will

work every day to solidify and advance the progress in the past 4 years and ensure the United States remains a leader on the council. I will forcefully defend our ally Israel from the troubling and continuing bias and targeting.

I look forward to working with this committee to advance our shared priorities, to further our national interests, and to proudly present our stellar human rights record that is core to who we are as a nation.

I will close by saying “Wah-Doe,” which is “thank you” in the language of my people, the Cherokee Nation. I deeply appreciate your consideration of my nomination. I will be happy to answer any questions. Thank you.

[The prepared statement of Mr. Harper follows:]

PREPARED STATEMENT OF KEITH M. HARPER

Chairman Boxer, Ranking Member Paul, and distinguished members of the committee, thank you for the opportunity to appear before you today as President Obama’s nominee to serve as the United States Representative to the United Nations Human Rights Council. I am honored to be here and am grateful to President Obama and Secretary Kerry for their confidence in nominating me for this important position.

With me here today is my wife and partner, Shelby Harper, as well as three of our four children, Nailah, Arlo, and Elsa. I want to thank them for their steadfast support today and always.

I have spent many years as an attorney defending the rights of Native Americans domestically and seeking protection for indigenous peoples internationally. I spent the majority of my career at the nongovernmental organization, the Native American Rights Fund, prior to leading the Native American Practice Group at Kilpatrick Townsend, an international law firm. This experience has instilled in me a deep and abiding commitment to protecting and advancing the human rights of all individuals, not just Native Americans and indigenous peoples, but also women and girls, LGBT individuals, human rights defenders, persons with disabilities, journalists and individuals who are members of many other groups whose rights are far too often denied around the world.

As an attorney and a litigator, my practice has afforded me the opportunity to hone my skills as an advocate. Whether in negotiations or in presenting a case in court or other fora, I have gained skills and capabilities which should serve me and my country well should I be confirmed.

The United States has long been a vocal champion of the rights enshrined in the Universal Declaration of Human Rights, driven not only by the founding values of our Nation but the conviction that international peace, security, and prosperity are strengthened when human rights and fundamental freedoms are respected and protected. The promotion and defense of these values has been a cornerstone of the Obama administration’s foreign policy. That commitment is perhaps no more evident than in the administration’s decision to seek a seat on the Human Rights Council in 2009 and then successfully campaign for reelection to the Council in 2012. Through its membership on the Council, the United States has helped it to take action on some of the world’s worst human rights abusers, championed the human rights of the most vulnerable, worked to address the Council’s structural bias and highly disproportionate focus on Israel, and reached across traditional blocs and geographic divides to foster widespread support for U.S. priorities.

It is critical that the Council meet the high standards we place on it. The criticism of the Council is well known and not without merit: a persistent, structural anti-Israel bias remains, and some states with poor human rights records still gain membership or avoid Council action.

Despite these shortcomings, U.S. leadership at the Council has demonstrated the importance of engagement and the benefit of working within the system to effect positive outcomes that advance U.S. interests. In the past several years there have been numerous examples of real progress at the Council. For example, shortly after joining the Council, the United States assembled a cross-regional group of sponsors to create a Special Rapporteur on the rights to freedom of peaceful assembly and freedom of association—the first new mechanism focused on a fundamental freedom at the HRC in 17 years. The United States played a leading role in the effort to create the Special Rapporteur on the human rights situation in Iran. The United

States worked with a broad coalition of international partners to create a Commission of Inquiry to investigate the gross, systematic human rights violations of the Qaddafi regime against the people of Libya and more recently another one to focus on the horrific human rights abuses in North Korea.

The United States also worked strenuously to pass resolutions that protect the fundamental freedoms of expression and belief. In addition, the United States was instrumental in helping pass the first U.N. resolution recognizing the human rights of LGBT persons. The United States has also been the catalyst for efforts to address the deteriorating human rights situation in Syria: the Council has passed 11 resolutions on Syria and has set up a Commission of Inquiry that is providing invaluable reporting about ongoing atrocities. As the range of these issues illustrates, the Human Rights Council is a critical venue for addressing some of the most persistent threats to human rights around the world. Strong U.S. leadership at the Council is vital to its continued success.

In my estimation, there is no greater honor, no greater calling than to have your President ask you to serve your nation. I recognize that I owe much to the opportunities this country has afforded me. If confirmed by the Senate, it would be an honor and privilege to serve my country in this new capacity. If confirmed, I will work every day to solidify and advance the progress of the past 4 years and ensure the United States remains a leader at the Council. I will continue to look for new partners who share our values and are willing to work across and outside the traditional voting blocs that have stymied the work of the Council in the past. I will forcefully defend our ally Israel from the unhelpful and disproportionate attention it too often receives and work to ensure our goals and national interests are not derailed by those who seek to deflect attention from their own records by turning attention to others. I look forward to working closely with this committee to advance our shared priorities and values at the Council, to further our national interest, and to proudly present our sterling human rights record that is core to who we are as a people and as a nation.

I deeply appreciate your consideration of my nomination. Thank you and I will be happy to answer your questions.

Senator BOXER. Thank you so very much.

We turn to Ms. Crystal Nix-Hines of California.

STATEMENT OF CRYSTAL NIX-HINES, OF CALIFORNIA, NOMINATED TO BE THE UNITED STATES PERMANENT REPRESENTATIVE TO THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION

Ms. NIX-HINES. Thank you, Chairman Boxer, and I appreciate the leadership—

Senator BOXER. Is your mike on? We want to hear you.

Ms. NIX-HINES. Yes. Thank you, Chairman Boxer, and I appreciate the leadership that you have shown in our State.

Senator BOXER. Thank you.

Ms. NIX-HINES. Today with me is my mother, Dr. Lula Mae Nix. You would not know it, but she is 85 years old.

Senator BOXER. No, you would never know it.

[Applause.]

Senator BOXER [continuing]. Can I have a meeting with her after this, just to get a few pointers?

Ms. NIX-HINES. She herself was an appointee in the Carter administration.

Senator BOXER. Fantastic.

Ms. NIX-HINES. And she still serves at-risk communities.

My father passed away in 2008, but I know that he is here in spirit. He was actually only the second African American in the State of Delaware to receive his law license, and we are very proud of him as well.

My husband, David, regrettably is manning the fort in Los Angeles with our two small children, Julia and Samuel, but they share my enthusiasm for this position.

I am honored that President Obama has nominated me to represent the United States at the United Nations Educational, Scientific, and Cultural Organization. I grew up in a home where public service was considered a duty and a privilege, more important than wealth and fame. As a beneficiary of those efforts, I too would like to make a positive contribution in the world and this nomination offers a unique opportunity to do so.

Amid the devastation of World War II, UNESCO's founding members formed a global organization to foster cooperative projects focused on education, science, and culture. But what was more like a think tank in 1945 has evolved into an organization that does concrete work on the ground and fosters collaboration among its 195 member states.

For the United States, participation in UNESCO furthers core strategic interests. First, UNESCO allows us to promote quintessential American values. An agenda that includes tangible action to promote tolerance and respect, encourage press freedom, combat extremism, including ethnic and religious violence, and preserve world heritage reflects who we are and what will secure a better world.

UNESCO's initiatives to end illiteracy among women and girls and use mobile technologies to expand educational access mirror our view of what is necessary to permit a nation to fully realize its potential. America's partnership in these efforts creates friends in the world who understand our values and are equipped to help chart their nation's course.

Second, UNESCO advances our commercial interests. America has built its success on capitalism and innovation, allowing companies such as Microsoft and Intel, Google, Pepsi, Procter and Gamble to lend UNESCO significant support while expanding their global reach.

Economic benefits also flow from the designation of a U.S. locale as a UNESCO world heritage site. We currently have 21 such sites in the United States, including the spectacular Yosemite and Redwood Parks in my home of California, and yours as well. Economic impact studies have placed the tourism revenue from a world heritage designation at over \$100 million. That is real money. If confirmed, I would work to expand the number of U.S. sites with this elite designation.

Third, UNESCO promotes U.S. security interests. The only U.N. agency with a specific mandate for Holocaust education, to prevent genocide and mass atrocities, UNESCO is doing really creative work with youth and other groups to promote conflict resolution and deter violence. UNESCO's coordination of the Global Tsunami Warning System and study of coastal erosion helped curb widespread devastation, including along our own coastlines.

Now let me address the elephant in the room, the cutoff of U.S. funding after UNESCO member states admitted the Palestinians over U.S. objection. The administration has requested a national interest waiver to resume funding because Americans' interests will best be served by full engagement with UNESCO, not re-

trenchment. We are not a country that turns tail when decisions do not go our way. We are not a people who shrink from challenge. We roll up our sleeves and we get ready for the next round. Returning to full partnership with UNESCO will best position the United States to advance our strategic interests and those of our allies, including Israel.

I know firsthand from helping to establish the U.N. war crimes tribunals for the former Yugoslavia and for Rwanda how crucial U.S. leadership is. Both through my background in law, media, government, and my temperament as an intrapreneur, a person who changes organizations from within, I am well positioned to help UNESCO and the United States achieve great things together.

Thank you.

[The prepared statement of Ms. Nix-Hines follows:]

PREPARED STATEMENT OF CRYSTAL NIX-HINES

Chairman Boxer, Ranking Member Paul and distinguished members of the committee, I am grateful that President Obama has nominated me to represent the United States at the United Nations Educational, Scientific and Cultural Organization (UNESCO). Thank you for your consideration.

I also want to thank Senator Coons for his kind introduction. We not only grew up in the same home state, but share a common interest in effecting societal change through public service.

Although regrettably my husband, David, is manning the fort in Los Angeles with our children, Julia, age 9, and Samuel, age 7, they are excited about the possibility of living in a new country.

I was raised in a home where public service was regarded as a duty and a privilege, more important than wealth or fame. My Mom, Dr. Lulu Mae Nix, who is here today, was an appointee in the Carter administration and, at 85, still serves at-risk communities. My Dad, Theophilus R. Nix Sr., was only the second African-American lawyer to receive his law license in Delaware, and as such, felt a profound responsibility to open pathways for minorities, women, the disenfranchised. As a beneficiary of these pioneer efforts, I, too, would like to effect positive change in the world. If confirmed, this appointment would afford a unique opportunity to do so.

Amid the devastation of World War II, UNESCO's founding members formed a global organization to foster cooperative projects focused on education, science, and culture that sought to "build peace in the minds of men and women." But what was more like a think tank in 1945 today has evolved into an organization that does real, concrete work on the ground and facilitates collaboration among its 195 member states. For the United States, participation in UNESCO has more than a "feel good" benefit. It significantly advances U.S. interests.

First, UNESCO allows us to promote quintessential American values. An agenda that includes concrete action to promote tolerance and respect for all; underscores the importance of press freedom; combats extremism including ethnic and religious violence; and protects world heritage, represents who we are and what we believe will secure a better world.

UNESCO's initiatives to end illiteracy among women and girls, and use mobile technologies to expand educational access, mirror our view of what is important in a developed or developing society. More than 775 million adults worldwide are illiterate; two-thirds of them are women. More than 57 million children are not in school. Access to quality education is essential for a nation to fully realize its potential. America's partnership in this effort creates friends in the world who understand our values and are equipped to help chart their nation's course.

Second, UNESCO advances our commercial interests. America has built its success upon a capitalist model. We invent, we make, we sell, we barter, and are integral to the economic system. As a result, companies such as Microsoft, Intel, Amazon, Google, Walt Disney, PepsiCo, and Proctor & Gamble, have lent UNESCO significant support, while expanding their global reach.

Economic benefits also flow from designation of a U.S. locale as a UNESCO World Heritage site, a program developed with U.S. leadership. An economic impact study estimates that if the San Antonio Franciscan Missions in Texas receives a World Heritage designation, it could generate more than \$100 million in tourism revenue, including over 1,000 new jobs. Similar benefits would flow to Poverty Point in rural northeast Louisiana. The United States currently has 21 World Heritage sites,

including the spectacular Yosemite and Redwood State Parks in my home of California. If confirmed, I would work to expand the number of U.S. sites in this elite group.

Third, UNESCO promotes U.S. security interests. The only U.N. agency with a specific mandate for Holocaust education to prevent genocide and mass atrocities, UNESCO is doing creative work with youth, ethnic and religious minorities, and other groups to combat prejudice and deter violence. UNESCO's coordination of the Global Tsunami Warning System and study of coastal erosion are integral to curbing widescale devastation, including along our own coastlines.

Now let me address the elephant in the room: the cutoff of U.S. contributions to UNESCO which resulted from the 2011 decision by UNESCO member states to admit the Palestinians as a state, despite our best efforts to prevent this action. The administration has requested a national interest waiver to resume contributions because American interests will best be served by full engagement with UNESCO—not retrenchment. We are not a country that turns tail when decisions do not go our way. We are not a people who shrink from challenge. As Americans, we roll up our sleeves and get ready for the next round. In this case, that means returning to a full financial and diplomatic partnership with UNESCO—one that will best position the United States to advance our strategic and commercial interests, and protect those of our allies, including Israel.

I know firsthand from helping to establish the International War Crimes Tribunals for the former Yugoslavia and for Rwanda how crucial U.S. leadership is. Both through my background in law, media and government, and my temperament as an “intrapreneur”—a person who changes organizations from within—I am well-positioned to help UNESCO and the United States accomplish great things together.

Thank you. I welcome any questions.

Senator BOXER. Thank you so very much.

Ms. Hamamoto.

STATEMENT OF PAMELA K. HAMAMOTO, OF HAWAII, NOMINATED TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS AND OTHER INTERNATIONAL ORGANIZATIONS IN GENEVA

Ms. HAMAMOTO. Thank you, Chairman Boxer, members of the committee. I would like to start by taking just a minute to introduce my family members who are with me here today: my husband, Kurt Kaull, my brother, David Hamamoto, and my sister-in-law, Marty Hamamoto. Thank you for being here today to support me. I appreciate that.

Thank you for the opportunity to appear before you today as President Obama's nominee to be the representative of the United States of America to the United Nations and other international organizations in Geneva. It is an honor to be here and I am grateful to President Obama for his confidence in nominating me for this important position and for the opportunity to serve my country and to advance U.S. national interests in Geneva.

I firmly believe that America is best represented at the United Nations and in the multilateral arena when we are at the table, sleeves rolled up, and leading. If confirmed, I am absolutely determined to continue to strengthen the President's efforts in Geneva to advance our Nation's objectives and be in the strongest possible position to support our friends.

I am deeply committed to redoubling our efforts in USUN Geneva, which represents and advances critical U.S. interests at a wide range of technical and specialized agencies. These agencies focus attention on some of the world's most challenging issues and in many cases those which demand a truly multilateral approach.

For example, at the World Health Organization efforts to continue eradicate polio and prevent the spread of other deadly dis-

eases. At the International Telecommunications Union, governments and the private sector come together in an effort to improve international telecommunications networks and services. The Office for the Coordination of Humanitarian Affairs assists with the coordination and mobilization of effective humanitarian action in some of the most difficult and dangerous conflict zones. The World Intellectual Property Organization works around the globe to build and maintain an effective system for the protection and enforcement of intellectual property rights, on which countless U.S. business and individuals depend.

Taken as a whole, the breadth of work across so many different areas by the U.S. mission and its diplomats is truly staggering. Having grown up in Hawaii, the multinational melting pot of the Pacific, I have learned how to build relationships across cultures, and should I be confirmed, I look forward to building bridges with leaders from many different countries and working together to make the world a better place.

I will bring to my new role the cumulative skills, interests, and experiences that I believe will serve me well as I lead this unique mission. A strong interest in the energy sector and clean energy solutions led me to the engineering program at Stanford University and subsequent experience in the private sector working on hydroelectric power systems. I took from that period of my life valuable lessons, not just about the complexity and potential of energy innovation, but also about the importance of international cooperation on energy and environmental issues, lessons that I expect to prove relevant in my interactions with organizations like the World Meteorological Organization and the Intergovernmental Panel on Climate Change.

I also bring to this important position an understanding of one of America's most vibrant and internationally influential economic sectors, telecommunications. Having worked in telecomm development for a number of years, I am keenly attuned not just to the industry's dramatic expansion and evolution over the past 25 years, but also to the need to employ relevant international organizations such as the International Telecommunication Union to promote and protect an American vision of that sector as an engine for growth and innovation.

Most importantly, throughout my career I have seen firsthand the critical importance of effective management and the efficient use of resources. My time working in the banking and finance sector cemented in my mind the crucial nature of active oversight, accountability for resources, and responsible and transparent reporting. I know that all the members of this committee share that view that U.S. taxpayer dollars sent to U.N. agencies, whether in Geneva or elsewhere, must be employed wisely, accounted for carefully, and must directly contribute to advancing U.S. goals and priorities at these various agencies.

If confirmed, I look forward to working closely with this committee to advance those priorities and to furthering our national interests at the U.N. agencies and international organizations in Geneva. Thank you for your consideration.

[The prepared statement of Ms. Hamamoto follows:]

PREPARED STATEMENT OF PAMELA K. HAMAMOTO

Chairman Boxer, Ranking Member Paul, and members of the committee, thank you for the opportunity to appear before you today as President Obama's nominee to be the Representative of the United States of America to the United Nations and Other International Organizations in Geneva. It is an honor to be here and I am grateful to President Obama for his confidence in nominating me for this important position and for the opportunity to serve my country and to advance U.S. national interest in Geneva.

With me here today is my husband, Kurt Kaull, my brother, David Hamamoto, and my sister-in-law, Marty Hamamoto, who I would also like to thank for their support.

I firmly believe that America is best represented at the U.N. and in the multilateral arena when we are at the table, sleeves rolled up and leading. If confirmed, I am absolutely determined to continue to strengthen the President's efforts in Geneva to advance our Nation's objectives and be in the strongest possible position to support our friends.

I am deeply committed to redoubling our efforts in USUN Geneva which represents and advances critical U.S. interests at a wide range of technical and specialized agencies. These agencies focus attention on some of the world's most challenging issues, and in many cases, those which demand a truly multilateral approach. For example, at the World Health Organization (WHO) efforts continue to eradicate polio and prevent the spread of other deadly diseases. At the International Telecommunication Union (ITU) governments and the private sector come together in an effort to improve international telecommunications networks and services. The Office for the Coordination of Humanitarian Affairs (OCHA) assists with the coordination and mobilization of effective humanitarian action in some of the most difficult and dangerous conflict zones. The World Intellectual Property Organization (WIPO) works around the globe to build and maintain an effective system for the protection and enforcement of intellectual property rights, on which countless U.S. businesses and individuals depend. Taken as a whole, the breadth of work across so many different areas by the U.S. mission and its diplomats is truly staggering.

Having grown up in Hawaii, the multinational "melting pot" of the Pacific, I've learned how to build relationships across cultures, and should I be confirmed, I look forward to building bridges with leaders from many different countries, and working together to make the world a better place.

I will bring to my new role the cumulative skills, interests, and experiences that I believe will serve me well as I lead this unique mission. A strong interest in the energy sector and clean energy solutions led me to the engineering program at Stanford University and subsequent experience in the private sector working on hydroelectric power systems. I took from that period in my life valuable lessons not just about the complexity and potential of energy innovation, but also about the importance of international cooperation on energy and environmental issues—lessons that I expect to prove relevant in my interactions with organizations like the World Meteorological Organization and the Intergovernmental Panel on Climate Change.

I will also bring to this important position an understanding of one of America's most vibrant and internationally influential economic sectors—telecommunications. Having worked in telecomm development for a number of years, I am keenly attuned not just to the industry's dramatic expansion and evolution over the last 25 years, but also to the need to employ relevant international organizations such as the International Telecommunication Union to promote and protect an American vision of that sector as an engine for growth and innovation.

Most importantly, throughout my career I have seen firsthand the critical importance of effective management and the efficient use of resources. My time working in the banking and finance sector cemented in my mind the crucial nature of active oversight, accountability for resources, and responsible and transparent reporting. I know that all the members of this committee share the view that U.S. taxpayer dollars sent to U.N. agencies, whether in Geneva or elsewhere, must be employed wisely, accounted for carefully, and must directly contribute to advancing U.S. goals and priorities at these various agencies.

If confirmed, I look forward to working closely with this committee to advance those priorities and to furthering our national interests at the U.N. agencies and international organizations in Geneva.

Thank you for your consideration of my nomination, and I will be happy to answer your questions.

Senator BOXER. Thank you very much. Thank you.

The way we are going to do this, Senator McCain, Senator Rubio has graciously said that you can be the first Republican to question. So I will question, then I will turn to you, and then we will turn to Senator Rubio, unless there is a Democrat who arrives. Is that all right with everybody?

Senator MCCAIN. I am very appreciative of Senator Rubio's deference to his seniors. [Laughter.]

Senator BOXER. OK, good. I feel the same way.

First let me just say, thank you all for your comments.

What I would like you to do when we ask the question, try to be succinct so we can get down the line to all of you. But each of us will have 7 minutes, so we can start my time now.

I will start with Mr. Malinowski. As you know, Vladimir Putin has presided over a severe crackdown on human rights in Russia. Laws have been passed that restrict public gatherings, prohibit foreign funding for Russian civil society organizations, and they threaten those who disagree with the government with espionage or treason. Laws have been passed that severely restrict the rights of LGBT persons in Russia.

So my question to you is, What can the United States do to advocate? What is the most effective way for us to advocate on behalf of LGBT individuals and all other Russians who suffer under Putin's oppressive government? And will you work to ensure that human rights are always a consistent part of bilateral discussions between the United States and Russia?

Mr. MALINOWSKI. Thank you so much for giving me an opportunity to address that, because it will be one of my main priorities if I am confirmed, Senator Boxer. I spent the last dozen years working for an organization that has an office in Russia and that has been subject to some of the restrictions and harassment that you mentioned. And we have had it easier than the Russian activists, who face the potential of prison for merely advocating the values that we share, I believe, with the vast majority of the Russian people.

The antigay laws I find extremely troubling, as does President Obama, who as you know has spoken out publicly about them. I think it is important for the Russian Government to know that the eyes of the world are going to be upon them during the Sochi Olympics. There will certainly be people, athletes, spectators, who come to those games concerned about this and who will make their voices heard. And how Russia reacts is going to determine the success of those games and how the international community views the Russia for a long time to come.

With respect to the range of other problems, we need to consistently raise these issues publicly and privately with the Russian Government, as the Obama administration has been doing. As many of you know, I have also been a very strong supporter of the Magnitsky law, which targets the folks responsible for the worst human rights abuses in Russia. I think that law very much aligns us with the Russian people in terms of their concern about the nexus between corruption and abuse of power in their country. If you ask about the most effective way to address those problems, I think that is the most effective way.

Senator BOXER. Thank you very much.

Mr. Harper, I really appreciated your comments as far as our standing by our ally Israel, because it is very disturbing that the Human Rights Council in the 22nd session—there were six resolutions that targeted Israel. So I was very pleased that you mentioned that in your opening remarks.

The Human Rights Council really remains a contradiction. It is tasked with strengthening the promotion and protection of human rights, but some of its members are some of the worst human rights abusers. For example, Venezuela and Ecuador, two countries who regularly repress freedom of speech and the work of civil society organizations, are both members. In Uganda consensual same-sex sexual relations are illegal and punishable by up to life in prison. Still, Uganda is a member of the Human Rights Council. So you are going to be hanging out with some folks you do not agree with.

The credibility of this organization is at stake. I think you bring to this—just your life story and the way you and those before you had to fight for recognition and for respect, I think that is going to help you. So I would ask you, how are you going to deal with this dynamic of having a council that is supposed to stand for human rights, but yet members who do not practice human rights? Give us an insight? This is a difficult job and I do not know how you are going to answer it, but I am going to give you this gem.

Mr. HARPER. Thank you, Madam Chair. I appreciate the opportunity to address this question. I could not agree more that this is a continuing challenge of the Human Rights Council. You have a series of bad actors. We can add to the list prior council members like Cuba, China, and others who have terrible human rights records, yet they are elected on the council.

What I would suggest is that it is hard work, but working behind the scenes we have actually been able to address this to a certain degree. There were attempts by Syria, Iran, Sudan, Nicaragua to get on the council, and through working behind back channels and incentivizing other states with better human rights records to run those folks did not make it onto the council.

So it is an iterative process. It is a continuing process. It is one that I will assure you I will make a key priority of mine in getting better actors.

The other thing that we can do is we can disempower by having greater U.S. engagement with those bad actors. Let me give you an example. Many of these countries, like Cuba for example and China and Russia, they do not like the idea of country-specific resolutions, calling out a specific country and saying the bad acts are going on there. Despite their opposition, we have been able to have special rapporteurs in Iran, Eritrea, Belarus, Burma. We have been able to have commissions of inquiry in North Korea, in Syria, in Libya.

So despite their opposition, we have been able to, with U.S. leadership, working with a wide variety of partners, been able to establish these important mandate holders.

So what I would suggest is that by disempowering those individuals, by building bridges to other countries, we can slowly but surely over time have a better Human Rights Council, one that would better live up to its mandate.

Senator BOXER. Well, thank you very much.

I have questions for the remaining two panelists, but I will defer until I get the time back and call on Senator McCain.

Senator MCCAIN. Please go ahead, Madam Chairman.

Senator BOXER. No, no, I'm fine. I am very interested in hearing from you and Senator Rubio, and then I will ask the rest of my questions. Go ahead, please.

Senator MCCAIN. Well, thank you.

Mr. Malinowski, would you agree that, regardless of whether Assad fulfills his pledge to give up his chemical weapons, he will continue to kill men, women, and children by the tens of thousands with conventional weapons?

Mr. MALINOWSKI. I wish I could disagree. I fear that that is likely for the time being. If the chemical weapons accord is backed by a Security Council resolution and implemented, I do see it as a step forward. To take chemical weapons off the table is a good thing for the people who you and I have met in Syria.

But it does not solve the vast majority of our problems in that country. It does not stop the killing by bombs, rockets, and artillery. It does not ease the suffering of Syrians who are living without food or medicine. It does not ease the burden on neighboring states of 2 million-plus and growing refugees. It does not deal with the opportunity that al-Qaeda and other jihadi groups have to exploit this horrible, cruel situation to advance their interests.

So there is a lot more that we have to do, from providing support to the moderate opposition, which is, as we increasingly see, virtually at war with al-Qaeda in Syria, to interdict the flow of arms to the regime, to pursue a negotiated settlement, and to maintain—as President Obama has committed to do—the credible threat of the use of force. That is the only reason we got the chemical weapons accord and it does need to remain on the table with, I hope, the support of the U.S. Congress.

Senator MCCAIN. Thank you.

Mr. Harper, I was involved as chairman of the Indian Affairs Committee with the Cobell issue, one of the largest long-running class action suits against the government in history. In that case, representatives of several Native American tribes alleged that the government failed to correctly account for income from certain Indian trust assets, which is true.

You served as a principal attorney for the plaintiffs in that case, is that correct?

Mr. HARPER. Yes, Your Honor—yes, Senator McCain. Sorry.

Senator MCCAIN. In that context, you coordinated with the class counsel, is that correct?

Mr. HARPER. I worked with other—I was one of a series of class counsel, yes.

Senator MCCAIN. In 2011 four Native Americans attempted to challenge in Federal court the settlement that Congress approved totaling \$3.4 billion; \$100 million of that funding was set aside to cover plaintiffs' attorney fees. This resulted in delaying the disbursement of these funds for about 6 months.

In connection with that delay, the class counsel, your associate, sent a letter to 500,000 of his Native American clients blaming these four individuals for the delay in payments; is that correct?

Mr. HARPER. We had a cocounsel that did prepare a letter and published a letter without my prior knowledge.

Senator MCCAIN. Is it true that this mass mailer included the names, mailing address, and telephone numbers of each of these four individuals and encouraged plaintiffs to contact the four litigants?

Mr. HARPER. It was——

Senator MCCAIN. I have a copy of the letter. I will submit it for the record.

Mr. HARPER [continuing]. It was called an “Ask Eloise letter,” Senator McCain. And yes, it did identify those individuals and their contact information.

I will say that when we learned of the letter our firm had discussions with our cocounsel to pull the letter off the web.

Senator MCCAIN. So everything’s OK?

Mr. HARPER. No.

Senator MCCAIN. Well, your cocounsel refused to respond to any media requests, said he would not answer any questions about it, nor would you at the time.

Mr. HARPER. At the time we were in active litigation, Senator.

Senator MCCAIN. So you could not answer for a letter that mentioned people’s names, address, and phone numbers, encouraging people to call and harass them?

Mr. HARPER. I would say, Senator, that the letter was a bad idea at the time and I continue to think it was a bad idea.

Senator MCCAIN. And you knew nothing about it?

Mr. HARPER. Not prior to its publication, I did not.

Senator MCCAIN. You should have known. He was your class counsel.

Mr. HARPER. I agree that I should have known. I should have been informed, but I was not informed.

Senator MCCAIN. So the dog ate your homework, is that it? Look, this was a terrible thing to do and you would not even respond to media requests asking for comment about it.

Why not?

Mr. HARPER. The reason I did not respond to media requests, Senator, is because my views were dramatically different than what was contained in that letter and——

Senator MCCAIN. Well, that means you cannot respond to the media about a letter that clearly calls for harassment? You are talking about human rights here. I think these four people’s human rights were abused. Would you agree?

Mr. HARPER. Senator, I think that the letter was ill-advised.

Senator MCCAIN. Would you agree that their human rights, their rights as citizens, were abused?

Mr. HARPER. Well, the problem with the letter is that their information was already in the public sphere, but we should not have actively engaged, nobody involved in the case should have actively engaged in putting that information out there.

I did not participate in that. I have colleagues—and nobody in my firm to my understanding participated in that. We did not have any control over——

Senator MCCAIN. So it was just done by one person in your firm who was a class counsel, you did not know anything about it, nor did anybody? He just initiated it on his own?

Mr. HARPER. That is correct.

Senator MCCAIN. I do not believe it. I do not believe it.

Mr. HARPER. Senator, I will guarantee you we were surprised when this hit the press, because we were unaware of it prior to that time. And my colleagues and my firm will advise you of the same thing. We were unaware of it.

Senator MCCAIN. This guy just woke up one morning and decided to send a letter out to 500,000 of your clients—500,000 of your clients, saying: Call these people because they are holding up your settlement.

The letter is really remarkable. Madam Chairman, I would be glad to quote from it: “Who is appealing and why are they appealing? Your payments are being held up by four persons.” It went on to name the four people. “Their reasons vary slightly, but they’re the same one fundamental point. At bottom, each believes that you are not entitled to the relief nor the payment of your trust funds that has been provided in the settlement.”

That is one of the more provocative letters I have ever seen, identifying people with addresses and their phone numbers. And you did not know anything about it and nobody knew anything about it? This guy just got up one morning and sent a letter under the letterhead of your firm saying that that was the case, huh?

Mr. HARPER. Senator, to correct the record, it was not under the letterhead of our firm. He is not associated with our firm. We work as class counsel on the same litigation, but he was lead counsel. He controlled this entire publication process. He did not send the letter out; he published the letter. We did not have prior knowledge of it.

Senator MCCAIN. You have never responded to any questions from the media since then, correct?

Mr. HARPER. I was asked by one media source, as I recall, about the letter. I thought at the time that what was important is that if you showed dissension among the litigation team that was not in the best interests of the clients.

Senator MCCAIN. So do not respond to questions about a letter of this nature because it might disturb relationships within the litigants?

Mr. HARPER. Senator, we did respond by working with our class counsel, and asked him to remove the letter, and he did remove the letter from the Web site.

Senator MCCAIN. After it was received by 500,000 people.

Mr. HARPER. Senator, if I could just clarify. It was not sent out. It was just merely published on the Web site. And we asked him to take it down and he did after some time take that down.

Senator MCCAIN. I thank the chairman.

Mr. Harper, I have questions about the attorney’s fees and the fees that you got and the relationships between your firm and individual tribes. Right now, Mr. Harper, I cannot support your nomination.

Senator BOXER. I just want to follow up because I was a little bit blind-sided by this, which is fine. You are an attorney.

Mr. HARPER. Yes.

Senator BOXER. You represented the Native American community in one of the biggest social justice cases in the history of the Native American community, is that correct?

Mr. HARPER. That is correct.

Senator BOXER. What were you able to achieve? Put aside this problem, which I agree with the Senator is a problem. Tell us about this case and about the justice that was delivered to the Native Americans?

Mr. HARPER. Thank you, Madam Chair. Yes, the Cobell litigation involved 500,000 individual Indians. I worked on the case for 16 years since its inception. We represented this class because of mismanagement of trust funds through the Department of Interior.

We were ultimately able to achieve the largest settlement, as we understand it, against the United States, \$3.4 billion, which was supported unanimously in this body and to a substantial majority in the House. So after many years of litigation, we were able to obtain this settlement, and justice for 500,000 individual Indians, and we are in the distribution process.

Senator BOXER. Well, congratulations on that victory, which we eventually helped make a reality, which was a big brouhaha around here.

Now, how many attorneys worked on this case, sir?

Mr. HARPER. There were upward of 10 at any given time.

Senator BOXER. Did you get paid on a contingency fee? In other words, you worked for 16 years. Did you get payments through all that period or your payments came after the victory?

Mr. HARPER. The payments came on the contingent fee at the end. There were some fee awards by the court from the defendants in between, but they were only small parts of the overall case.

Senator BOXER. I got it.

Mr. HARPER. Most of the fees were at the end.

Senator BOXER. Now, this letter, which I have not seen but is going to be in the record here, that Senator McCain talks about, did you sign the letter?

Mr. HARPER. No, I did not.

Senator BOXER. Did you know about the letter?

Mr. HARPER. I did not know about it until after its publication.

Senator BOXER. When you knew about it and you saw it, what did you do?

Mr. HARPER. We, my colleagues at the Kilpatrick law firm, got together. None of us, as I recall, knew about the letter prior to its publication. I think we all disagreed with the approach, and we asked that—well, one of my colleagues asked that the letter be withdrawn. I think over a certain amount of days it was ultimately withdrawn from the Web site.

Senator BOXER. OK. And you disagreed with this letter?

Mr. HARPER. Absolutely.

Senator BOXER. And you thought it was a bad idea?

Mr. HARPER. I think it was absolutely a bad idea.

Senator BOXER. And you helped get it down off the web?

Mr. HARPER. I did not have direct talks, but it was through our firm.

Senator BOXER. And it was a different firm that signed the letter, the lead counsel?

Mr. HARPER. The individual that signed the letter was a solo practitioner that worked with our firm, but was separate from our firm.

Senator BOXER. He was not part of your firm.

Mr. HARPER. He was not part of our firm.

Senator BOXER. You did not know about this letter? You did not approve this letter?

Mr. HARPER. I did not approve the letter.

Senator BOXER. When you found out about it, you did not think it was the right thing to do?

Mr. HARPER. Absolutely, I did not think it was the right thing.

Senator BOXER. The reason you did not talk to the press is because there was ongoing litigation and you did not want to make a comment in the middle of this?

Mr. HARPER. In ongoing litigation, Madam Chair, the important thing is to focus on what is in the best interests of your client. And to show dissension among the legal ranks would not have been in the best interests of our client.

Senator BOXER. I understand.

Is it true that there was a limit on the amount you could receive percentagewise on this case?

Mr. HARPER. There was an agreement not to appeal awards between 50 and 99 million on fees, and the court awarded at the highest end of that.

Senator BOXER. Well, I am really sorry that you faced these questions, because in my opinion you were not involved in this letter. And you get paid for your work, like most people in the private sector get paid for their work. You also were involved in a case that was historic in terms of its benefits to the Native American community that I represent so proudly in our State, because we have so many Native Americans in our State, many of whom struggled, got shorted, did not get the respect they deserved.

So I am sorry that you were subjected to these types of questions. It is Senator McCain's total right to do that, and I hope that we can work together to persuade him that he should not hold up your nomination, because, frankly, I think your presence in this position is going to be very helpful to our country.

I call on Senator Rubio.

Senator RUBIO. Thank you.

Mr. Malinowski, I wanted to talk to you about what I am increasingly concerned is an emerging very serious human rights crisis around the world that involves religious liberty. It goes beyond religious liberties. There is this article here from the 22nd of this month, National Post, Matthew Fisher: "It's open season on Christians in Syria and across the Muslim world." It talks about 78 Christians were slaughtered Sunday by twin suicide bombers at a church.

Less than 24 hours earlier, a gang of Islamic militants from somalia murdered at least 68 workers, including two Canadians, at a mall in Kenya, where they allegedly shouted for Muslims to get out of the way so they could specifically kill Christians. Coptic

Christians in Egypt, as we know, are facing struggles. Same thing in Syria.

So I ask that in the context of just in general this is an emerging crisis around the world. Then in particular these blasphemy laws that we see taking root in some countries. In Pakistan, for example, according to media reports, 17 people are on death row for having been convicted in blasphemy laws. Another 20 are serving life sentences.

So I want to get your take in general on how you intend and the administration intends to use our platform in the world to call increasing attention to this, not just applied to Christians. We know that other religious minorities face these struggles around the world.

In particular, we have a provision in the law, this designation of a country of particular concern. The last time the administration did that was in August 2011. And while that designation is permanent once it is given, the sanctions that are tied to that designation expire after 2 years.

So the second part of my question is, I am hoping we can get you to commit to work with the Ambassador at Large for International Religious Freedom to annually issue these designations and renew those sanctions.

Mr. MALINOWSKI. Thank you so much, Senator Rubio. We could spend the whole hearing talking about the issue that you just raised, and of course we do not have time to focus on each individual case. But you are absolutely right, it is a trend. I think it is a trend because we have a region that is in turmoil and in times of turmoil, the forces of destruction—people who are out for themselves and their own power—often take advantage of sectarian mistrust, religious mistrust, to advance their ends. We have seen this in a number of countries that are emerging from the Arab Spring, and across South Asia and the Horn of Africa.

It will absolutely be a priority for me. I can give you that promise, whether it is responding to the horrible attack in Pakistan that we just saw in the last couple of days, whether it is, in the midst of everything else happening in Egypt, making sure that we convey to the Egyptian Government that it has to protect the Copts from the violence that has been unleashed against them, whether it is challenging the blasphemy laws, as you mentioned, in Pakistan. My understanding is the State Department has raised repeatedly the need to avoid abuse of the blasphemy laws, and I will certainly make that a priority in my engagement with the government of Pakistan if I am confirmed.

With respect to the CPC designations, that is something again I am going to have to look at if I have a chance to go in. But I certainly agree that designations need to be made as part of a dynamic process. We do need to be looking at it, maybe not even every year, but on a real-time basis as the need arises. And the designation should carry with it some consequence.

Senator RUBIO. Just not to belabor the point, but the blasphemy laws being abused, I think having these laws alone would be an abuse. They are impossible to have, laws like that. They are used for purposes of retribution, personal vendettas, and everything beyond that.

And by the way, it is not just countries that are involved in the Arab Spring. We see it, they exist in Saudi Arabia, they exist. And then we have seen this attack on religious liberties on every continent. But we see it in Africa. We have had hearings here, we have brought that up. We have seen it in Asian countries as well.

So we are deeply concerned about that, and I hope that becomes a human rights priority for this administration and for all of us. I think it is something we should raise as a priority.

I did want to ask you briefly. Thursday is going to mark the 1-year anniversary of American citizen Saeed Abedini's imprisonment by Iranian authorities. With the announcement today that Secretary Kerry will be discussing other issues with the Iranians, I hope that issue will become a linchpin of those conversations. This is a particularly egregious case and I hope that we can count on you to be a voice as well with regards to those abuses.

I do not want my time to run up. I have a couple of other questions.

Ms. Nix-Hines, I wanted to ask you, pretty straightforward: Do you support reestablishing U.S. funding for UNESCO without first an overturning of the recognition of the Palestinian Authority as a member?

MS. NIX-HINES. Thank you, Senator Rubio. I would like to respond to that question as well as talk to you a little bit about the religious persecution issue as well since that is something that is a priority for UNESCO as well.

But first to your question, the administration does support a waiver, getting a national interest waiver in order to permit the United States to continue funding UNESCO. I guess because I am a lawyer, I look at things in terms of a balancing test. When you really look at it and you look at all the equities in favor of continued engagement with UNESCO as a full partner, it tips decisively in favor of continued engagement, when you look at all of our commercial interests in terms of World Heritage, when you look at the importance of the U.S. Government really being involved in a leadership capacity in terms of education and promoting conflict resolution and tolerance, the great leadership that we have been able to play in the International Oceanographic Commission in terms of early warning systems for tsunamis and coastal erosion, it is absolutely essential that the U.S. Government continues to be at the table as a full partner, where we can support our allies, including Israel, and that we can continue to help frame the global agenda.

Senator RUBIO. I think you have answered my question. You support the administration's position on the waiver.

Mr. Harper, I wanted to ask you. The question has already been asked about the Rights Council, the fact that several notorious human rights abusers are members, perennially run for seats on the council. You have already been asked about the 19 Human Rights Council special sessions that have focused on the alleged Israeli human rights violations, which I personally believe is a disproportionate focus on Israel.

I think all of these things call the U.N. Human Rights Council's credibility into question. But I wanted to ask you very specifically, should Congress condition U.S. contributions to the United Nations on certification that no U.N. agency or affiliated agencies grant any

official status, accreditation, or recognition to any organization which promotes or condones anti-Semitism?

Mr. HARPER. Senator, I have thought long and hard about that question. It is a difficult question because whenever you make membership contingent on a particular issue, then that becomes something in which our enemies can actually cause our disengagement. I think what we have shown in the last few years on the Human Rights Council is that our engagement is helpful.

You brought up the special sessions regarding Israel. Prior to U.S. engagement, there were five special sessions on Israel. Since we have joined the council there has only been one special session and it occurred after we have joined it. There has not been one since.

So U.S. leadership on these questions, United States leadership, American leadership, has mattered and it has caused us to be able to defend Israel in a far better way than if we were not on the council. So we are able to address anti-Semitism better, we are able to address attacks on Israel better, the bias against Israel, as you rightly point out, in a much more comprehensive and effective way if we are on the council.

Senator RUBIO. Well, again, it is not just against Israel. What I pointed to was, you are right about U.S. engagement having an influence, but U.S. money also has influence. I just would ask you to consider, since you said it is an issue you need to think about some more, why the United States should even be funding agencies or organizations that recognize entities that espouse anti-Semitism, which goes beyond being anti-Israel.

I have one more quick question. I know I am a minute over time, but it also involves Mr. Harper. Well, it involves the Human Rights Council. On July 22nd is the first anniversary of the death of Mr. Oswaldo Paya Sardinias. He was killed in a car crash in Cuba. This issue came up at the council, I believe last week. Cuba tried to block his testimony—the testimony of his widow; I apologize—backed by China.

The United States stood up and actually spoke in favor of her being allowed to continue to testify, and that is important. As a result, on September 10 the organization U.N. Watch has presented a petition at the U.N. Human Rights Council calling for an international and independent investigation into the alleged murder of Mr. Paya.

So if confirmed, what steps would you take to support the establishment of a commission of inquiry based on this petition, and what steps would you take to raise international attention at the council about Cuba's poor human rights record in general?

Mr. HARPER. Thank you, Senator. I could not agree more that Cuba continues to have one of the worst human rights records. My understanding is that there have been numerous occasions when our representatives in Geneva have raised this issue on the council. I will be an advocate to raising these issues to a greater degree at the council in a number of different forums.

Let me give you a couple of examples. Under item four of the council agenda, we can give statements that outline specific wrongdoers and the actions that they have taken. With respect to Mr.

Paya, I would agree that we should have a U.N. body look into it in greater detail.

Senator RUBIO. Do you agree with the petition asking for the establishment of a commission of inquiry?

Mr. HARPER. Well, I would have to look specifically at what the best mechanism is, but on the principle of whether or not we should look into it in greater detail, I completely agree with you.

Senator BOXER. Thank you, Senator Rubio.

Ms. Nix-Hines, UNESCO is committed to the realization of everyone's right to an education, and this is very significant, especially for women and girls around the world. Last week I was proud that this committee unanimously approved a bill I wrote with Senator Landrieu named after a young Pakistani heroine Malala. We all know Malala.

The bill pays tribute to her vision by saying that the United States must be committed as we give funding for scholarships to make sure that 50 percent of those scholarships in Pakistan are awarded to women. It just shows you the depth of the concern of this committee as far as the way women and girls are being treated.

So if confirmed, will you fight to ensure that gender equality remains a top priority at UNESCO, and will you also commit to fighting for equal educational opportunity for women and girls?

Ms. NIX-HINES. Thank you, Chairman Boxer, and thank you for the great work that you're doing in this area.

Senator BOXER. Thank you.

Ms. NIX-HINES. As you know, 775 million adults are illiterate around the world. Two-thirds of them are women. Over 57 million children are not going to school. In order for countries to advance to the next level, educating women and girls is absolutely essential.

UNESCO is doing really great work in this area. It is the Secretariat for the Education for All initiative and it is playing an important role in working with local governments to design programs to increase educational opportunities for women and girls using mobile technologies so that they can really open up opportunities for women and girls, putting materials on the Internet so that others can have greater opportunity to have educational resources. It is absolutely one of my highest priorities.

Senator BOXER. Good. Thank you.

Ms. Hamamoto, I am very concerned, as we all are, about the humanitarian crisis in Syria. Today more than 2 million Syrians are refugees in neighboring countries. More than 5 million are displaced within Syria. I was very proud that today President Obama said he is providing an additional \$333 million in humanitarian aid for those affected by this crisis. I sat down with the Ambassador from Jordan to the United States and she was eloquent and she tried to be calm about it, but the situation is just terrible for the neighboring countries right now.

We do remain the largest contributor of humanitarian aid, providing nearly \$1.4 billion to date. But it is clear that the international community must do more. According to Save the Children, nearly 4 million Syrians, including more than 2 million children, are at risk of malnutrition and lack of critical food resources.

How can the United States encourage other countries to continue to increase humanitarian aid to Syria, to ensure that innocent Syrians are not further victimized by this protracted conflict?

Ms. HAMAMOTO. Thank you, Chairman Boxer. I agree the situation in Syria, with respect to the humanitarian crisis, is obviously very troubling and something that we are very, very focused on. The efforts that the U.S. mission has been making through Geneva have been focused on coordinating and supporting the relief efforts through a broad range of international organizations and U.N. agencies that have very specific technical expertise in the area of humanitarian aid and are making sure that our support, our financial support, is being used most effectively.

We are engaging with other host governments and trying to really increase their level of involvement, their level of engagement, and of course financial support, so that we, as you mentioned, being the world's leading humanitarian donor, are doing it with broader support. We have had some success at doing that.

Senator BOXER. Well, I am going to count on you to take it to these countries, because they all have things to say. You know, they all lament. Everyone laments it and we see the refugees and the displaced people and the children and the suffering. And some of these countries are just paying an enormous price. The stability of their own nations are at stake.

So I think it is important to take it to—the United States cannot do everything. We cannot do everything.

Ms. HAMAMOTO. Absolutely.

Senator BOXER. We may not even be able to pass a budget. No, we should pass a budget and we will pass a budget. But the point I am making is we certainly cannot do everything.

So you need to take it to these countries. You need to be unequivocal and say: "You cannot voice all these emotions about what is happening and not come with a check, you cannot. It disqualifies you." I mean, period, end of quote. Whatever they have to do, they have to do it.

So I think you are right, we are starting to do more, but we have to do better. I know that you will take it to them and I think that is very key.

Look, I want to thank everybody here. I want to thank my colleagues who have come and gone. We have had a couple of difficult questions and challenges to you. That is typical of what happens at these hearings, and I think it is better that we know where people are—what people are thinking and worried about at this stage, rather than we do not find out about it until we get you down to the floor.

So we are going to keep the record open and I am going to ask some more questions, basically on a couple of issues that I think are obviously hanging over this hearing. It will give you a chance to answer them. I am just saying I think the best way to handle these questions is with total transparency and we can move past some of these issues that have been raised.

I think on the issue of the waiver, clearly the administration has a position. It may not reflect the position of the Congress. To my knowledge, it has to be done through the Congress. Am I right on that? So you cannot deny that there are problems here on these

issues. So you have to, I think, in addressing some of these issues where Congress has to act say it is going to be up to the Congress to make this decision at the end of the day as to what happens.

For you in working in your private sector world, from what I know about it—and this is the first I have heard of it from your answers—I think you have a very good way to explain that this was something that was done that you disapproved of and the minute you learned of it you suggested it be taken down. So I think there are ways to answer these questions.

But we will work with you, because I have to just say I am very proud of all of you. I think that you bring to these positions such depth in your own life stories and also your work that you have done, each and every one of you, whether it was in the private sector, the public sector, nonprofit world. I think you bring the right combination of skills.

So I will be your advocate and we will work with you as we write some questions, and I hope to work with my colleagues on the other side of the aisle to make sure that their questions are also addressed. And I would urge you to respond as quickly as you can so we can get some of these answers into the record immediately.

I just want to wish you the best of luck. I thank you. I want to thank your families for believing in you, for being here with you today. Families, you are signing up, too. I always say that when I meet people in the Foreign Service, in the diplomatic service, in the military service to this country: The family signs up, and without the family support I could not do what I do and you would not be able to do what you do. So to all of you, I wish you the best, and we will try to move these nominations quickly through the process.

Thank you very much. We stand adjourned.

[Whereupon, at 3:40 p.m., the hearing was adjourned.]

ADDITIONAL MATERIAL AND QUESTIONS AND ANSWERS
SUBMITTED FOR THE RECORD

RESPONSES OF TOMASZ P. MALINOWSKI TO QUESTIONS SUBMITTED
BY SENATOR ROBERT MENENDEZ

Question. What are your expectations for the scheduled Presidential elections in Afghanistan in 2014? What can the United States Government do to ensure those elections are free and fair, and ensure a peaceful transition to power? I was a co-sponsor of S. Res. 151 which passed the Senate by unanimous consent in July 2013. This resolution urged the Secretary of State to condition financial, logistical, and political support for Afghanistan's 2014 elections based on the implementation of reforms in Afghanistan including—

(A) increased efforts to encourage women's participation in the electoral process, including provisions to ensure their full access to and security at polling stations;

(B) the implementation of measures to prevent fraudulent registration and manipulation of the voting or counting processes, including—

(i) establishment of processes to better control ballots;

(ii) vetting of and training for election officials; and

(iii) full accreditation of and access for international and domestic election observers; and

(C) prompt passage of legislation through the Parliament of Afghanistan that codifies the authorities and independence of the IEC and an independent and impartial election complaints mechanism.

- ♦ Can you please provide a status report on the implementation of each of these reforms?

Answer. I support the objectives outlined in S. Res. 151, and if confirmed, I would urge the Government of Afghanistan to take the steps called for in the resolution. As Secretary Kerry stated, “Afghanistan will go far if the elections next year are free and fair.” A peaceful political transition through such an electoral process is critical to Afghan stability and democratic development, as well as to sustaining international support for Afghanistan.

Afghans have taken key steps toward holding democratic elections in April 2014. Voter registration and candidate registration are underway, two key electoral laws have been adopted that establishes the legal electoral framework and an independent Electoral Complaints Commission, elections commissioners and complaints commissioners have been appointed, and Afghan security ministries, in close coordination with the Afghan National Security Council, are working with the Independent Elections Commission (IEC) to prepare for the elections. Complementing their operational plan, the IEC established a Fraud Mitigation Strategy that includes fraud deterrence measures and fraud detection measures which are built on international best practices and lessons learned from previous Afghan elections.

I understand that the Department of State and USAID are working closely with Afghan partners to implement measures to combat fraud and encourage broad participation, including a strong focus on promoting women’s participation in the process as voters, candidates, campaign workers, and searchers. The Independent Election Commission’s Gender Unit is engaging the Ministry of Interior to develop a plan for recruitment, training, and locating of female searchers around the country.

I understand the United States is also encouraging Afghan authorities to uphold the right to freedom of expression, including for the independent media when reporting on electoral developments, to ensure a fair electoral process for election candidates, to allow for the operation of robust domestic and international election observation missions, to ensure the political independence of the election administrators, and to allow election disputes to be resolved transparently and fairly.

The Tokyo Mutual Accountability Framework (TMAF) provided a set of benchmarks to be met by the Afghan Government, including the establishment of a comprehensive election timeline and an electoral legislative framework. If confirmed, I will continue to encourage the Afghan Government to continue implementation of the new laws and strengthen the electoral process, including where it affects women.

If confirmed, I am committed to working with members of the SFRC Committee to support Afghan aspirations for free and fair elections in Afghanistan.

Question. Post 2014, what is the U.S. Government doing now to curb the human rights abuses we know will come again from the Taliban and other extremist groups as the United States pulls out, especially those addressed against Afghan woman and girls, and human rights defenders?

Answer. In July 2012, the international community and Afghanistan adopted the Tokyo Mutual Accountability Framework (TMAF), which outlined specific benchmarks and deliverables for the Afghan Government to meet—with a key focus on human rights and women’s rights. Among other things, Afghanistan agreed under the Tokyo Framework “to improve access to justice for all, in particular women, by ensuring that the Constitution and other fundamental laws are enforced expeditiously, fairly, and transparently; [and] ensure that women can fully enjoy their economic, social, civil, political and cultural rights.” In addition, the Afghan Government committed to demonstrated implementation of both the Elimination of Violence Against Women (EVAW) law and the National Action Plan for Women (NAPWA). These commitments reflect the demands of ordinary Afghans—women and men—who want to make sure that they never again lose the rights that were stolen from them by the Taliban.

If confirmed, I will press the Afghan Government to meet its commitments, including by enforcing laws designed to protect women’s rights, resisting efforts to gut these laws, holding accountable those responsible for rape and domestic violence, and continuing to integrate women into the country’s police forces while giving them the support and protection they need.

I will also support funding for programs to strengthen women’s role in Afghan society through and beyond 2014. The U.S. Embassy in Kabul adopted a “gender strategy” that highlights the need to mainstream gender issues into all of our policies and programs through the transition and transformation decade. The new “PROMOTE” project is a multiyear USAID program that aims to increase women’s contributions to Afghanistan’s development by strengthening women’s rights groups, boosting female participation in the economy, increasing the number of women in

decisionmaking positions within the Afghan Government and helping women gain business and management skills. The Bureau of Democracy, Human Rights, and Labor (DRL) supports programming that works with local community, tribal, and religious leaders to promote the rights of women. Other efforts include providing technology to women's rights groups to strengthen their monitoring and advocacy skills. Furthermore, as we prepare for the 2014 security transition, the United States is supporting the development of a professional and effective Afghan National Security Force, including training in human rights and encouraging remediation to prevent future abuses.

Negotiations with the Taliban should not sacrifice the hard-won women's rights gains made in the last 12 years. President Obama and President Karzai reaffirmed their support for an Afghan-led peace process in January. The two Presidents also reiterated that any outcome of reconciliation must preserve the three redlines: the Taliban and other armed opposition groups must end violence, break ties with al-Qaeda, and accept Afghanistan's Constitution including its provisions that protect the rights of women and minorities. If confirmed, I will work to ensure human rights remain a top priority in our diplomatic relationship with Afghanistan and its people and assistance efforts.

Question. With the pending drawdown in troops in Afghanistan, what are the implications for countries in Central Asia? We are witnessing increased repression of religious minorities and civil society. What specifically are the opportunities for advancing the protection of civil society, the press and religious minorities in the region?

Answer. The drawdown of international troops from Afghanistan will not diminish America's interest in Central Asia. Respect for religious freedom and mutual respect of all religions make a society stronger, more stable, more prosperous, and more harmonious. These are universal values that also serve national and international interests of stability and security. As the security transition in Afghanistan unfolds, it will be all the more important to underscore to the leaders of Central Asia that respect for human rights and allowing their citizens to express dissent peacefully is essential to combating violent extremism and to their long-term stability and prosperity. If confirmed, I will urge governments in Central Asia to improve their respect for human rights and fundamental freedoms including those of assembly, association, speech, and religion, and will listen to and support civil society in the region.

The United States has benefited from our partnership with Central Asian states, particularly their contributions to our common effort to promote stability in Afghanistan. That partnership serves the interests of our friends in the region and it can and should endure so long as these governments abide by international standards. At the same time, as President Obama said in his September 24 address to the U.N. General Assembly: "We're far more likely to invest our energy in those countries that want to work with us, that invest in their people instead of a corrupt few; that embrace a vision of society where everyone can contribute—men and women, Shia or Sunni, Muslim, Christian, or Jew. Because from Europe to Asia, from Africa to the Americas, nations that have persevered on a democratic path have emerged more prosperous, more peaceful, and more invested in upholding our common security and our common humanity."

Question. We are seeing a growing trend in countries like Russia and Uganda to criminalize lesbian, gay, bisexual, and transgender persons, which is resulting in horrific acts of violence. How can the United States best combat this trend?

Answer. Promoting and protecting the human rights of LGBT persons is a key foreign policy priority of the United States. I am very concerned about ongoing violence and official and societal discrimination against LGBT persons—particularly laws that criminalize consensual same sex conduct between adults or restrict the rights of LGBT persons and their supporters to freedom of expression, association, and peaceful assembly—in too many places around the world. I agree with administration officials, from President Obama to Secretary Kerry to ambassadors at embassies around the world, who have made clear that universal human rights apply to all persons, regardless of their sexual orientation or gender identity.

Ensuring the protection of human rights for LGBT persons will require continued engagement on a variety of fronts. State Department personnel, in the Bureau of Democracy, Human Rights, and Labor (DRL), throughout the Department, and at posts around the world, regularly raise the human rights of LGBT persons in their bilateral conversations. If confirmed I will also work with like-minded partners in various multilateral fora to advance LGBT rights. These include the U.N. General Assembly, where, on the margins, Secretary Kerry will participate in the first-ever

Ministerial event specific to the rights of LGBT persons, and the U.N. Human Rights Council, where the United States lobbied successfully on behalf of the first-ever U.N. resolution on the rights of LGBT persons in June 2011. I will also continue to strongly support assistance to organizations promoting and protecting the human rights of LGBT persons. Through the Global Equality Fund, the United States has provided to date more than \$7 million to support civil society organizations working to advance the human rights of LGBT persons in more than 50 countries. As the U.S. Government continues to support this work, I will, if confirmed, work to ensure that we deepen our impact, respond effectively to emergent situations, and confront long-term challenges, including discriminatory legislation.

Question. Over the course of many years, the UNGA Third Committee has adopted, by consensus, a human rights resolution on Burma. Considering allegations of ethnic cleansing of Rohingya, continued arrests, forced relocations, land confiscation, conflicts in Kachin and Shan State, and the attack on United Nations Special Rapporteur for Human Rights Tomas Quintana: Has the administration or our EU allies given thought to what will be included in this year's UNGA resolution? What are your views on the need for and potential content of such a resolution? Exercising diplomatic efforts, how will you, with our EU partners, make certain that the resolution accurately reflects the situation on the ground?

Answer. I believe such a resolution should not only acknowledge the progress that Burma has made so far, but should also continue to address human rights problems and underscore the need for the government to make continued progress over the long term. When the United Nations human rights system last addressed the human rights situation in Burma at the Human Rights Council in March 2013, the resolution addressed the violence against the Rohingya, forced relocations, land confiscation, and the situation in Kachin State, as well as continued arrests of activists.

If confirmed, I will work closely with the EU, which will likely sponsor the resolution again this year, to ensure that this year's resolution accurately reflects our concerns. If confirmed, I am also committed to working with the Government of Burma and other interested parties to achieve a resolution that can repeat the EU's achievement of a consensus resolution in 2012 that addressed serious human rights concerns.

I also believe that the resolution should welcome the government's continuing efforts to improve the human rights situation in Burma and pursue political and economic reform as well as call for measures to address our continuing concerns, including the violence against Muslims in Rakhine State and other areas of Burma, the ongoing ethnic conflicts in Kachin and Shan States, as well as issues such as new arrests of activists and the need for continued legal reform, including reforms necessary to ensure that conditions are favorable for free and fair elections in 2015. If confirmed, I will work with the EU and other parties with the goal of achieving another resolution and do my best to see that the resolution reflects these concerns.

Question. Amidst a crackdown against Tibetans, Uyghurs, human rights defenders, netizens, and others, the human rights situation in China and Tibet worsens. A September 18, 2013, Washington Post editorial said, "Mr. Xi's turn to repression has gone almost entirely unremarked upon by the Obama administration, which has concentrated on cultivating relations with the new leader." Other than maintaining its annual bilateral human rights dialogue with the Government of China, what are the tangible measures that the U.S. Government could take to seek to improve the human rights situation in Tibetan areas of China in particular and China more broadly?

Answer. I am deeply concerned about the ongoing crackdown against ethnic minority groups in China, including Tibetans, Uyghurs, and Mongolians, as well as public interest lawyers, Internet activists, journalists, religious leaders, and others who question or challenge official policies and actions in China.

Regarding Tibet, if confirmed, I will urge Chinese authorities to resume substantive dialogue with the Dalai Lama or his representatives, without preconditions, as the best means to alleviate tensions in Tibetan areas and resolve longstanding issues. I will also strengthen our engagement with likeminded partners around the world to coordinate and jointly pursue holding the Chinese Government to account for counterproductive policies in Tibetan areas which have led to a cycle of repression and over 120 Tibetan self-immolations since March 2011. If confirmed, I will seek to ensure that programming places a substantive emphasis on improving the capacity of grassroots civil society organizations in Tibetan areas to advocate for the protection of their unique cultural, linguistic, and religious identity. I will explore new avenues to engage directly with Tibetan and Chinese scholars on innovative policy prescriptions for ensuring that Tibetans feel that their voices are being heard

and are able to enjoy the universal rights and fundamental freedoms, including the freedom to worship their religion freely, to which they are entitled under China's international human rights commitments.

With regards to the situation in China more broadly, if confirmed, I will work to ensure that human rights remain a critical facet of the United States-China bilateral relationship. The U.S.-China Human Rights Dialogue (HRD) is an important part of an overall human rights strategy. It is not, however, a substitute for consistent high-level engagement from across the U.S. Government. If confirmed, I will make every effort to ensure that human rights continue to be raised in high profile dialogues such as the U.S.-China Strategic & Economic Dialogue and the U.S.-China Legal Experts Dialogue. I strongly believe that the promotion and protection of human rights in China is in our national interest and, as such, should be an integral part of every conversation we have with Chinese officials, including at the President's and Secretary's level. I will also look for opportunities to speak directly to the Chinese people, particularly through new innovative platforms online, and to listen to their views about these issues. I will urge Chinese officials to listen to the increasingly vocal grievances emerging from Chinese society on a range of issues—from environmental degradation and food safety to consumer protection and corruption—and use these concerns as an entry point to emphasize the important role the rule of law, free flow of information both online and offline, a robust civil society, and respect for religious and cultural differences can play in China's efforts to establish a sustainable development model and deal with a range of problems facing the country.

Question. The Cuban Government has been engaged in an increasingly brutal crackdown on peaceful democracy activists on the island with more than 6,000 documented detentions and arrests. Much has been made of purported reforms in Cuba, yet the regime continues to detain and brutalize its own people. If confirmed, what concrete steps will you take to support these activists and civil society generally in Cuba?

Answer. I believe that it is in our national interest to support the Cuban people's desire to determine their future freely. If confirmed, I would work to implement as effectively as possible U.S. policy of support for civil society, including programmatic efforts that advance human rights and fundamental freedoms, democratic principles, and a strong and independent civil society. The Bureau of Democracy, Human Rights, and Labor implements annual programming to support the efforts of activists on the island. These programs are similar to what the United States does around the world to promote democratic values, independent civil society, and human rights.

I agree that the purported reforms that have occurred in Cuba have done little to end the oppression of the Cuban people. However, to the extent that they give us opportunities to enhance our support for human rights and democracy activists, we should take advantage of them. For example, following January changes to travel requirements for Cubans leaving the island, Department officials met with a number of Cubans who are working for positive change in Cuba, including bloggers and free Internet advocates such as Yoani Sanchez, Orlando Luis Pardo Lazo, and Eliecer Avila; Damas de Blanco spokeswoman Berta Soler; Christian Liberation Movement leader Rosa Maria Payá; human rights activists Guillermo "Coco" Farinas and Elizardo Sanchez; and multiple Afro-Cuban activists including Manuel Cuesta Morua, although prominent activist Oscar Elias Biscet has been denied permission to travel. Similarly, Cuban Government policy changes that permitted activists access to cell phones and other electronic media have made it easier for us to support Cuban citizens working for freedom.

If confirmed, I will also work to increase multilateral pressure on the Cuban Government, including by calling for an independent international investigation of Oswaldo Paya's death.

Question. As Assistant Secretary, if confirmed, how will you attempt to create a broader dialogue in the Middle East regarding human rights, respect for religious minorities, and the need for an inclusive political dialogue? Please specifically address how you will further U.S. encouragement of political reform and respect for human rights in Bahrain and Egypt?

Answer. It is in our national interest to see a Middle East and north Africa that is peaceful and prosperous; and we will continue to promote democracy, human rights, and inclusive economic growth, because we believe these practices achieve peace and prosperity.

For example, in Egypt, a full return to inclusive democracy and civilian rule is vital to giving everyone in that increasingly polarized country a stake in nonviolent

political participation. My understanding is that the administration has made clear its concerns about decisions made by the interim authorities that are inconsistent with this goal, including imposition of the emergency law, political arrests, and violent suppression of demonstrations. Likewise, the administration has been clear that the use of violence by nonstate actors must stop immediately. The President has said that we will continue support for Egypt in areas like education and assistance to independent civil society, but the delivery of certain military systems will depend upon Egypt's progress in pursuing a more democratic path. If confirmed, I will work with the U.S. mission in Egypt and our Egyptian partners on the ground to press for greater respect for freedoms of religion, expression, and media. Amplifying the voice of Egyptian civil society is one way to encourage lasting change in Egypt.

A prosperous, stable, and secure Bahrain that remains a strong security partner depends on a political dialogue that leads to reconciliation and reform, as well as the protection of human rights and accountability. A robust policy must include continued direct and candid engagement with the government and civil society, support for Bahrain's national dialogue process and for civil society, opposition to violence and extremism by all sides, assistance policies that reinforce our message and avoid U.S. complicity in violations and abuses, and regional and international engagement. If I am confirmed, I intend to make Bahrain a top priority, and to work closely with the Congress to address these challenges.

RESPONSES OF KEITH M. HARPER TO QUESTIONS SUBMITTED
BY SENATOR ROBERT MENEDEZ

Question. In March 2012, the U.N. Human Rights Council adopted a resolution on Sri Lanka, which demonstrated strong international support for accountability for abuses committed in Sri Lanka's armed conflict. Since passage of the resolution, has the Sri Lankan Government implemented any of the recommendations of its own Lessons Learnt and Reconciliation Commission? In what ways, if any, has the Office of the U.N. High Commissioner for Human Rights and other U.N. human rights envoys assisted Sri Lanka in implementing these steps?

Answer. The United States introduced both the March 2012 and March 2013 U.N. Human Rights Council (HRC) resolutions on Sri Lanka, both of which called on the Government of Sri Lanka (GSL) to implement the constructive recommendations of its own Lessons Learnt and Reconciliation Commission (LLRC) and to address outstanding issues related to accountability, reconciliation, and democratic governance. The resolutions also encouraged the Office of the High Commissioner for Human Rights (OHCHR) and relevant special procedures mandate-holders to provide the GSL with advice and technical assistance on implementing the LLRC recommendations and addressing these issues.

For the most part, the government has failed to make progress on the LLRC recommendations. For instance, one of the most fundamental recommendations was to "phas[e] out the involvement of the Security Forces in civilian activities and use of private lands by the Security Forces with reasonable time lines being given." However, the military maintains a heavy presence in the north and is in fact involved in many aspects of civilian affairs. Moreover, despite LLRC recommendations, there have been no credible investigations or prosecutions of those implicated in violations of international human rights or international humanitarian law committed during the conflict.

In August 2013, U.N. High Commissioner for Human Rights Navanethem "Navi" Pillay visited Sri Lanka to assess the GSL's progress on accountability, reconciliation, and democratic governance. After meeting with representatives of civil society, government officials, and religious leaders, she submitted a report to the U.N. Human Rights Council at the September 2013 session. While she acknowledged the progress the GSL has made regarding development and resettlement of internally displaced persons (IDPs), she expressed alarm at restrictions on freedom of the press and expression, the erosion of the rule of law, and violence against religious minorities. She extended the offer of technical assistance to the GSL to help them address these issues.

Additionally, eight U.N. special procedures mandate holders have requested visits to Sri Lanka, including the Special Rapporteur on Freedom of Expression, the Special Rapporteur on Freedom of Association and Assembly, the Working Group on Enforced Disappearances, and the Special Rapporteur on Internally Displaced Persons. The GSL has only set dates for one of these visits; we understand the Special Rapporteur on IDPs will visit Sri Lanka in December 2013. The United States has

consistently encouraged the GSL to respond to all the outstanding visit requests from special procedures mandate holders.

Question. At the Human Rights Council, the United States has highlighted severe rights violations in China, including the acute situation in Tibetan areas. On September 17, 2013, Ambassador Donahoe informed the Council that China “limits religious freedom, particularly in Tibetan and Uighur areas.” Will you also speak publicly about the systemic rights violations in China and specifically Tibetan areas of China?

Answer. If confirmed, I will speak publicly about my concerns for the deteriorating human rights situation in China, particularly in Tibetan and Uighur areas, including with regard to freedom of expression and of thought, conscience, and religion. I will also raise U.S. concerns with Chinese officials, including the increasingly severe government controls on Tibetan Buddhist religious practice; government policies that undermine the preservation of Tibetan language; and intensive surveillance, arbitrary detentions, and disappearances of Tibetans, including youth and Tibetan intellectual and cultural leaders. The United States is also deeply concerned by ongoing reports of discrimination against Uighurs and other Muslims, and is concerned by policies that unduly restrict the religious practices of ethnic Uighur Muslims, including bans that prevent some women from wearing headscarves and some men from growing beards. Chinese authorities have also prevented religious education in some areas.

The United States will continue to call on the Chinese Government to engage in substantive dialogue with the Dalai Lama or his representatives, without preconditions, as the best means to alleviate tensions and to resolve the longstanding grievances of Tibetans. The United States will continue to urge the Chinese Government to address the problems underlying tensions in Tibetan and Uighur areas, and to reexamine existing, counterproductive policies that exacerbate rather than resolve existing grievances. The United States will continue to call on the Chinese Government to permit Tibetans, Uighurs, and all of China’s citizens to express grievances freely, publicly, peacefully, and without fear of retribution. The United States will also continue to call on the Chinese Government to clearly distinguish between criminal acts and peaceful expressions of political dissent or religious belief.

The promotion and protection of human rights in China is in the U.S. national interest and, as such, should be an integral part of U.S. public diplomacy and of U.S. interactions with Chinese officials. I understand that the administration intends to raise these issues during China’s upcoming Universal Periodic Review, scheduled for October 22, and if confirmed I will continue to raise these issues and to work through the Office of the High Commissioner for Human Rights and at the HRC during my tenure.

Question. In a statement last year, High Commissioner for Human Rights Navi Pillay said that “social stability in Tibet can never be achieved through heavy security measures” and called upon China to accede to the requests by several Special Rapporteurs to Tibet and consider the recommendations made to it by various international human rights bodies. If confirmed, will you work with the High Commissioner to push for access of U.N. mandate holders into Tibet?

Answer. If confirmed, I will continue to urge Chinese officials to permit High Commissioner for Human Rights Navi Pillay to visit China, including Tibetan areas, as well as to accept the 12 outstanding visit requests by U.N. Special Rapporteurs on key issues such as human rights, expression and arbitrary detention. I will also continue to press the Chinese Government to allow journalists, diplomats, and other observers unrestricted access to China’s Tibetan areas.

Question. What steps will you take to raise greater international attention to the widespread human rights abuses perpetrated by the Cuban Government? Will you pursue a resolution that censures the Cuban Government for its efforts to stifle free expression, political dissent, and independent civil society activities within its borders?

Answer. If confirmed, I will redouble U.S. efforts to highlight Cuba’s poor human rights record at the U.N. Human Rights Council (HRC). U.S. leadership on the HRC has reduced Cuban influence on the Council both before and since Cuba’s membership term expired on December 31, 2012. For example, while Cuba sat on the Council, the United States regularly mitigated or blocked Cuba’s attempts to curb the independence of the Office of the U.N. High Commissioner for Human Rights. If confirmed, I will lead a robust effort to do so. The United States also rallied a cross-regional group of countries to create a special rapporteur on freedom of assembly and association in 2010, despite Cuba’s objections. In September 2013, the United States led a successful resolution that renewed the special rapporteur’s mandate.

The United States also supports the calls for an independent investigation by Special Rapporteur on extrajudicial, summary, or arbitrary executions Haynes into the deaths of Cuban activists Oswaldo Paya and Harold Cepero. If confirmed, I will continue the United States efforts to garner international support for this investigation.

If confirmed, I would also welcome the opportunity to meet with Senator Menendez to discuss opportunities to draw more international attention to Cuba's abysmal human rights record.

Question. In *Cobell v. Salazar*, you served on the class counsel team representing a class-action lawsuit brought by Native Americans. The parties reached a settlement in the case in 2009. On January 20, 2010, a letter signed "Class Counsel" was published on the Indian Trust Web site which released the names, addresses, and phone numbers of four individuals who were appealing the *Cobell* settlement. The letter asserted that the four appellants were responsible for the delay in concluding the settlement and the disbursement of funds. The letter encouraged class members to contact the four appellants.

- ◆ Were you involved in drafting the January 20, 2010, letter, and did you review it prior to its publication? Once the letter was published, did you renounce the letter, which allegedly led to the harassment of the appellants, including the receipt of death threats by at least one? At the time of its publication, what was your reaction to the letter?

Answer. I was not in any way involved in the drafting the January 20, 2012, "Ask Elouise" letter nor did I review the letter prior to its release.

After learning of the letter's release, I expressed my misgivings about publishing the letter, especially the contact information of the appellants, to both other class counsel and other professionals at Kilpatrick Townsend. I urged my colleagues to facilitate removing the letter and to avoid posting material that could be construed to suggest harassment of appellants. On or around January 21, I was informed by colleagues that discussions about removing the letter from the Web site would be held with one of the appellant's attorneys who had objected to the letter. I understand from GCG that on January 22, 2012, the litigation consultant for lead counsel requested that GCG remove the letter from the Web site. On or about January 22, I was further told by a firm colleague that the letter was removed from the Web site. Additionally, my colleagues and I checked the Web site at that time and there found no link to the letter. Thus, at the time of my testimony on September 24, 2013, I was under the impression that the letter was indeed not on the Indian Trust Web site.

At the time of the letter's release, we were in active litigation. Although I personally did not support the letter, I was told by a firm colleague that the class representatives, at the time, did support it. Accordingly, I was duty bound to not comment in a manner contrary to the letter and therefore could not express my reservations publicly about the re-publishing of the contact information of appellants.

Further, during my multiple discussions with class members in open and public forums—which I estimate to be more than 20 sessions—class members frequently raised the question of how to interact with objectors or appellants. I consistently made clear that, in interactions with objectors or appellants, there should be no harassment of any kind, and instead respectful dialogue.

Question. The \$3.4 billion settlement in the *Cobell* case included an agreement by class counsel of which you were a member that they would not argue they were entitled to greater than \$99.9 million in fees. This binding commitment was repeated to Congress and to class members. Class counsel, nevertheless, went forward and petitioned the U.S. District Court for \$223 million in fees, which the Court rejected.

- ◆ What is the reason for the request for additional fees?

Answer. The class representatives, our clients, decided that consistent with the Agreement with Defendants, there would be an express request for \$99.9 million in fees. In accordance with our clients' position, the Petition for Fees specifies that "Plaintiffs hereby assert a fee of \$99.9 million for Class Counsel's work through December 7, 2009." The Petition went on to explain that the Court had the discretion to award more under the controlling law, but that both Plaintiffs and Defendants agreed not to appeal if the award was between \$50 and \$99.9 million. The Petition also stated, consistent with client direction, that in comparable cases, awards ranging around \$223 million would be consistent with controlling law. The Court ultimately awarded the \$99 million amount asserted by plaintiffs in the petition for fees.

As I understand it, the class representatives, and particularly Ms. Elouise Cobell, believed that it was critically important and consistent with the best interest of the

class to seek a fee award in accord with fee awards for non-Indian class actions of similar size and complexity. She expressed concern that otherwise attorneys would be reluctant to represent Native American plaintiffs without financial means who are deprived of their rights by the federal government or other entities. This was unacceptable to Ms. Cobell and she was particularly sensitive to this point because, as she made clear on the record, she had grave difficulties finding lawyers to bring the *Cobell* case in the first place.

Question. Plaintiffs in the Passamaquoddy Tribe of Maine trust settlement assert that you and your colleague's legal fees were excessive and unreasonable. How do you respond to their concerns?

Answer. Chief Joseph M. Socobasin, Vice Chief Clayton Socobasin, and Elizabeth Neptune—who was on Council during the litigation and the designated liaison to the Kilpatrick Townsend firm—sent a letter on October 1, 2013, to “Indian Country Today” to “clarify that we were very happy with the Kilpatrick Townsend’s representation of the Tribe in the tribal trust case and were satisfied with the results of the case.” Further, they clarified that “[a]t no time during the case were our Tribal leaders pressured to settle the case by Mr. Harper or his colleagues at Kilpatrick Townsend.”

With respect to legal fees, in their letter the Tribal Leaders stated that the “contingency arrangement was established in 2007” and that they “felt it was fair and the only option for our Tribe at the time.” In conclusion, the Tribal Leaders specified that “Our Tribal Council was very satisfied with the settlement and with the legal representation we received from Kilpatrick Townsend.”

RESPONSE OF CRYSTAL NIX-HINES TO QUESTION SUBMITTED
BY SENATOR ROBERT MENEDEZ

Question. The United States is withholding its assessed and voluntary contributions to UNESCO due to the General Conference’s October 2011 decision to admit Palestine as a member. How do you regard the recent UNESCO decision to admit Palestine? How would you assess UNESCO’s progress toward improving upon the issues that led to the United States withdrawal from the organization from 1984 to 2003? Finally, how would you in your role as Ambassador seek to resolve these issues that have constrained the United States full participation in UNESCO?

Answer. I share the administration’s perspective that the October 2011 vote by UNESCO Member States to grant the Palestinians membership was premature since final status issues, including the issue of Palestinian statehood, can only be resolved through direct negotiations between the parties.

I also agree with the administration that obtaining a national interest waiver from Congress is crucial to give the United States the discretion necessary to continue to provide contributions that enable the United States to maintain its vote and influence within the United Nations and any of its specialized agencies. It is important to preclude the possibility that the Palestinians or their allies could force a contribution cutoff and diminish American influence within these agencies.

In my view, the most effective way to wield U.S. influence in international organizations is from within. By withholding our contributions, not only do we cut off support for important programs that advance U.S. interests, we weaken our ability to promote our priorities, risk losing altogether our voting rights, and effectively empower others to determine how and when America engages. We also harm our ability to fully support and defend the interests of our allies, including Israel.

A strong U.S. presence at UNESCO allows us to promote quintessential American values, serves U.S. commercial interests, and advances U.S. security interests. By maintaining a strong financial and strategic partnership with UNESCO, the United States can play an important leadership role in a UNESCO agenda that includes concrete action to: expand literacy and access to education, particularly for women and girls; combat extremism including ethnic and religious violence; promote Holocaust education for the prevention of prejudice and mass atrocities; advance press freedom and safety for journalists; develop early warning systems for tsunamis and other environmental challenges; and protect the world’s natural and cultural heritage. If confirmed, as Ambassador, I would leverage strong U.S. engagement with UNESCO as a powerful forum to address these and other shared global challenges of vital concern to the United States.

Just as the world has changed dramatically since 1984, so has UNESCO. Former President George W. Bush recognized this when he determined it was in the interest of the United States to rejoin the organization. At the time, he stated that UNESCO “has been reformed, and America will participate fully in its mission to

advance human rights, tolerance, and learning. . . . As a symbol of our commitment to human dignity.”

Through the U.N. Transparency and Accountability Initiative, the State Department has found that UNESCO continues to enact reforms that promote efficiency, effectiveness, and accountability. This progress is further evidenced by the recently released 2013 update to the Multilateral Aid Review, in which the U.K. Government has assessed that UNESCO is making reasonable progress in key areas of reform. As U.S. Ambassador to UNESCO, I would make it a top priority to encourage a culture of accountability and high performance at UNESCO. From my prior experience at the State Department in helping to establish the U.N. War Crimes Tribunals for the former Yugoslavia and for Rwanda, I know how critical U.S. leadership is, and, if confirmed, I will work diligently to ensure that UNESCO maximizes its effectiveness and impact.

RESPONSE OF PAMELA K. HAMAMOTO TO QUESTION SUBMITTED
BY SENATOR ROBERT MENENDEZ

Question. Critics of the United Nations cite perceived inefficiencies within U.N. offices, duplication of U.N. mandates, and mismanagement of U.N. funds. In your role as Ambassador to the United Nations and Other International Organizations in Geneva, how will you work to improve accountability, efficiency, and prioritization of U.N. programs? Can you assess the current capacity of the U.S. mission in Geneva to deal with the task of monitoring the many programs and agencies operating there?

Answer. The United States has been a driving force for reforms across the U.N. system, and over the past 10 years, Geneva-based organizations have adopted a number of reforms designed to make their organizations more transparent, accountable, and efficient. However, the United States must remain consistently engaged to strengthen these reforms further and advance even more comprehensive reform agendas.

There is need for greater cooperation and coordination among U.N. system organizations to reduce duplication and mandate overlap. Organization heads must engage more productively in existing coordination mechanisms, such as the U.N. System Chief Executives Board for Coordination (CEB) and the Economic and Social Council (ECOSOC). If confirmed, I will work with like-minded members to insist that organization heads look for opportunities to evaluate mandates on a routine basis. Using this approach, the Secretariat could regularly identify possible operational improvements and/or programmatic shifts among and within mandates, measure actual performance against intended results to be achieved, and discuss how individual and groups of mandates serve the overall goals of the organization.

The United States is a primary driver urging U.N. agencies to enhance their oversight arrangements, by adequately resourcing internal audit, investigations, and evaluations functions and establishing independent, expert audit committees. If confirmed, I will continue to push and build on these efforts.

I am not in a position now to assess the current capacity of the U.S. mission in Geneva to monitor the many programs and agencies operating there. I understand, however, that through daily engagement and active participation as members of the executive boards and governing bodies of these organizations, the United States works to ensure U.N. agencies have robust program monitoring and evaluation practices in place and that they employ sound strategic plans, budgets, and program results frameworks.

If confirmed, I will continue to be a leading advocate for budget discipline, efficient and effective program implementation, and proper prioritization of programs at the United Nations. The Obama administration has pressed the United Nations and specialized agencies to contain budget growth and to demonstrate a sustained effort to identify offsets without reducing operational effectiveness or program impact, while also protecting those programs most important to U.S. interests.

If confirmed, I will continue to work diligently with other countries in Geneva and across the U.N. system to ensure that U.S. tax dollars are well spent and that these organizations live up to both their founding principles and values.

RESPONSES OF TOMASZ P. MALINOWSKI TO QUESTIONS SUBMITTED
BY SENATOR BARBARA BOXER

Question. Last Sunday, two suicide bombers walked into a crowd gathered outside a Christian church in Pakistan and detonated their explosives, slaughtering over 80

people—including over 40 women and children. These innocent people were targeted simply because of their faith.

♦ If confirmed, how will you work to advocate for the protection of minorities in Pakistan? What leverage does the United States have on this front?

Answer. Continuing sectarian violence in Pakistan is concerning and has brought heartache to Sunnis, Shia, Christians, and members of other communities across the country. Last Sunday's church attack drew widespread condemnation in Pakistan, including from the Prime Minister, the National Assembly, and a range of religious and political leaders. But, condemnation must be matched with the resolve to work for change. The Government of Pakistan has indicated it will increase protection at churches and other places of worship in the wake of the Peshawar bombing. It should also bring the perpetrators of sectarian attacks to justice and end any remaining ties between elements of the security services and militant groups.

If confirmed, I will engage the government and civil society of Pakistan to put an end to violence against and persecution of religious minorities, and to seek to alter the legal structures that embolden or enable it, including the blasphemy law. I will also use the tools Congress has provided for diplomatic leverage on religious freedom. Pursuant to the authorities mandated by Congress, I will regularly review and consider country conditions and make recommendations on Country of Particular Concern (CPC) designations. I will also continue to use private diplomatic engagements and creatively explore public diplomacy and programming initiatives to promote religious freedom and tolerance in Pakistan.

Question. The U.S. Government is continuing to work to facilitate peace negotiations between the Taliban and the Afghan Government. If confirmed, how will you help ensure that the rights of women and girls are addressed in the negotiation process? What actions will you take to ensure that other entities within the State Department and the U.S. Government use their influence to insist on women's participation in the peace process, including on the High Peace Council?

Answer. In January, President Obama and President Karzai reaffirmed that Afghan-led peace and reconciliation is the surest way to end violence and ensure lasting stability of Afghanistan and the region. The two Presidents also reiterated that as a part of the outcome of any peace process, the Taliban and other armed opposition groups must end violence, break ties with al-Qaeda, and accept Afghanistan's Constitution including its provisions that protect the rights of women and members of minorities.

In my meeting with President Karzai during my last trip to Afghanistan when I was at Human Rights Watch, we spent almost the entire hour discussing the human rights implications of negotiations with the Taliban on Afghan women (see my Washington Post op-ed: <http://www.washingtonpost.com/wpdyn/content/article/2010/08/13/AR2010081305220.html>). Any peace that is attempted to be made by excluding more than half of the Afghan population—women—is no peace at all. This issue has been a personal interest of mine and if confirmed, I will work within the State Department and the broader U.S. Government to ensure that as peace talks gain traction women are meaningful participants in all levels of the process and that the human rights of women are not a bargaining chip in peace negotiations with the Taliban.

If confirmed, I will press the Afghan Government to actively engage civil society, including women's rights advocates, in peace and reconciliation efforts and to consider seriously their recommendations on improving the peace process. The High Peace Council, as the lead on reconciliation must ensure that the voice of women remain central in negotiations. If confirmed, one of my goals is to ensure that women's voices and views are reflected in the peace talks.

Question. Several leaders in Latin America have passed legislation or other measures limiting freedom of association, including Ecuadorian President Rafael Correa. How can the United States help civil society organizations confront challenges in countries like Ecuador, Venezuela, and Bolivia?

Answer. I am deeply concerned about the increasing threat to, and steady decrease of, space for civil society organizations (CSOs) around the world, including in countries like Ecuador, Venezuela, and Bolivia.

If confirmed, I will direct assistance to at-risk CSOs, and urge like-minded governments and private donors to do the same. One avenue would be through the multilateral Lifeline fund, which the Bureau of Democracy, Human Rights, and Labor established in cooperation with other like-minded governments to assist embattled civil society organizations.

I will speak out against legislation in countries that threaten CSOs, and work with like-minded partners to contain the spread of such legislation.

If confirmed, I will provide strong support to exchange programs that support civil society organizations, including the State Department's International Visitor Program through which the Department supports the work by CSOs.

I will encourage our embassies to visibly support all CSO representatives, especially those under siege who cannot travel outside their countries, including by meeting with them regularly, inviting them to embassy events, and publicly defending their work.

Finally, if confirmed, I will work with my colleagues in the Department to counter efforts to weaken the Inter-American Commission on Human Rights, which we did successfully before and must be prepared to do again.

Question. Advancing the human rights of LGBT people around the world is a priority of the Obama administration. Although the United States has taken various public steps to engage on the issue of LGBT rights abroad, LGBT people continue to be targeted for violence solely because of who they are in places such as Uganda, Cameroon, Brazil, South Africa, and Russia.

◆ What steps will you take to continue and enhance current efforts to advance LGBT rights and help protect LGBT people from violence?

Answer. Promoting and protecting the human rights of LGBT persons is a key foreign policy priority of the United States. I am very concerned about ongoing violence and official and societal discrimination against LGBT persons—particularly laws that criminalize consensual same sex conduct between adults or restrict the rights of LGBT persons and their supporters to freedom of expression, association, and peaceful assembly—in too many places around the world. I agree with administration officials, from President Obama to Secretary Kerry to Ambassadors at embassies around the world, who have made clear that universal human rights apply to all persons, regardless of their sexual orientation or gender identity.

Ensuring the protection of human rights for LGBT persons will require continued engagement on a variety of fronts. State Department personnel, in the Bureau of Democracy, Human Rights, and Labor (DRL), throughout the Department, and at posts around the world, regularly raise the human rights of LGBT persons in their bilateral conversations. If confirmed I will also work with like-minded partners in various multilateral fora to advance LGBT rights. These include the U.N. General Assembly, where, on the margins, Secretary Kerry will participate in the first-ever Ministerial event specific to the rights of LGBT persons, and the U.N. Human Rights Council, where the United States lobbied successfully on behalf of the first-ever U.N. resolution on the rights of LGBT persons in June 2011. I will also continue to strongly support assistance to organizations promoting and protecting the human rights of LGBT persons. Through the Global Equality Fund, the United States has provided to date more than \$7 million to support civil society organizations working to advance the human rights of LGBT persons in more than 50 countries. As the U.S. Government continues to support this work, I will, if confirmed, work to ensure that we deepen our impact, respond effectively to emergent situations, and confront long-term challenges, including discriminatory legislation.

RESPONSE OF PAMELA K. HAMAMOTO TO QUESTION SUBMITTED
BY SENATOR BARBARA BOXER

Question. Israel: It is no secret that Israel is often unfairly singled out at the United Nations. If confirmed, will you make it a priority to fight discrimination against Israel and to press for greater inclusion of Israel in all U.N. activities in Geneva?

Answer. If confirmed, I will continue the administration's efforts to normalize Israel's status at the United Nations, including vigorously opposing one-sided, biased resolutions, ending Israel's institutionalized unfair treatment, and fighting efforts to delegitimize Israel throughout the United Nations.

U.S. officials meet regularly with host governments and U.N. officials to make known our opposition to these biased resolutions and unfair treatment. The United States consistently opposes any texts or actions that criticize Israel unfairly in any U.N. body or specialized agency, and I will maintain that position.

Additionally, The United States continues to work to promote full and equal Israeli inclusion in international bodies, including the consultative groups in the U.N. system that act as organizing venues for determining candidates and coordinating policy approaches. The United States has helped gain Israeli membership in the Western Europe and Others regional group (WEOG) for several U.N. committees in New York, and the ultimate goal is Israeli membership in all WEOG groupings, including in Geneva. The United States believes it is essential for Israel to be

included, as it is the only country not to belong to a regional group in Geneva, and I share that belief. If confirmed, I will coordinate closely with Israel and with WEOG members to press for Israel's membership in the group.

RESPONSES OF TOMASZ P. MALINOWSKI TO QUESTIONS SUBMITTED
BY SENATOR MARCO RUBIO

Question. How will you work to ensure that U.S. security assistance to countries such as Egypt and Bahrain avoid U.S. complicity in human rights violations and create an incentive for these governments to take irreversible steps toward a more democratic and inclusive future?

Answer. Preventing U.S. assistance from being used in support of human rights violations is a policy priority. Our processes to implement the Leahy Law, supervision of foreign military sales, end-use monitoring, licensing for commercial weapons sales, and management of State-funded military grant assistance programs, are among the most reliable and important ways of ensuring that we do not support human rights abuses in any country. As someone coming from a position in which I long advocated for the importance of human rights in U.S. foreign policy, if confirmed, I will commit to working with Congress to ensure the Department continues to use the tools we have available to support U.S. human rights policy, including in our dealings with Egypt and Bahrain. I will also work to ensure our assistance is used to support broader policies designed to improve conduct and to hold governments to account for their actions.

In Bahrain, due to our concerns about human rights abuses, the U.S. Government continues to withhold the export of lethal and crowd-control items intended predominantly for internal security purposes. For certain other items related exclusively to external defense, counterterrorism, and the protection of U.S. forces, we are making export decisions on a case-by-case basis. Our policy does not support the transfer of equipment or training to Bahraini security forces that could be used inappropriately against peaceful protesters in the country.

In Egypt, we will continue support in areas like education that directly benefit the Egyptian people, but are not proceeding with the delivery of certain military systems. Our support will depend upon Egypt's progress in pursuing a more democratic path. We will also maintain our firm commitment and support to democratic institutions and an independent Egyptian civil society.

Important decisions related to security assistance also depend on a clear understanding of the facts. The Bureau of Democracy, Human Rights, and Labor has a critical role to play in bringing accurate facts about the human rights situation to bear on our policies and our assistance relationships. If confirmed, I will work with our U.S. missions to continue to advance our human rights policies, including in Egypt and Bahrain.

Question. In Bahrain, the government continues to carry out a crackdown that includes harsh repression of demonstrators, the detention of journalists, and the imprisonment of credible opposition members. Now the U.S. Ambassador and other U.S. diplomats have been sanctioned by the Bahrain Cabinet for meddling in internal Bahraini affairs. The United States has multiple interests in Bahrain, most prominently the Fifth Fleet, and it has tried to engage the ruling family in Bahrain as friends. However, repeated promises from the government have fallen short of actual performance.

- ◆ Do you agree that the current course of U.S. policy in Bahrain is failing?
- ◆ What new strategy would you recommend the United States pursue to promote progress on human rights and rule of law there, given our other interests as well?

Answer. If confirmed, I intend to make Bahrain a top priority, and, in cooperation with the Congress, I will review all of the options available to continue improving our policy toward Bahrain given the inevitability of new and unforeseen challenges to come.

The United States has a number of interests at stake in the stability of Bahrain and well-being of its people. The events that have unfolded since March 2011 have made clear that a prosperous, stable, and secure Bahrain that remains a strong security partner depends on a political dialogue that leads to reconciliation and reform, as well as the protection of human rights and accountability. During the past 2 years the Bahraini Government has made some progress on a variety of human rights-related issues. But there have also been significant setbacks and there is much more work to be done.

Therefore, if confirmed, I will work to ensure that the United States is fully engaged supporting reform and enhanced protection of human rights. A robust policy must include direct and candid engagement with the government and the political opposition; support for civil society undeterred by government objections (for example, the statement the Department of State issued on September 19 following the arrest of opposition leader Khalil Marzooq); opposition to violence and extremism on both sides of the country's political divide, a clear-eyed public posture on the issues and concerns at hand; assurance that our assistance policies reinforces our message and avoid U.S. complicity in abuses; and regional and international engagement. As part of this effort, I would work within the Department and other U.S. Government agencies to ensure that our government speaks consistently about these issues with a united voice.

Question. Chinese activists and bloggers have recently been the targets of a crackdown by the government. How will you endeavor to make U.S. concerns about such actions more central to the United States-China relationship?

Answer. If confirmed, I will work to ensure that human rights remain a critical facet of the United States-China bilateral relationship, raised in all appropriate senior-level meetings and dialogues, including during the U.S.-China Strategic and Economic Dialogue, the Human Rights Dialogue, and the Legal Experts Dialogue. I will also look for opportunities to speak directly to the Chinese people, and to listen to their views, about these issues. I will emphasize that China's adherence to universal rights is important not only to our bilateral relationship, but to China's long-term peace, prosperity, and stability.

I will urge Chinese officials to listen to the increasingly vocal grievances emerging from Chinese society on issues such as environmental degradation, consumer protection, and corruption—and use these concerns as an entry point to emphasize how the rule of law, free flow of information both online and offline, a robust civil society, and respect for religious and cultural differences can aid China's efforts to achieve sustainable economic development and a harmonious society. I strongly agree and would like to echo DRL Acting Assistant Secretary Uzra Zeya's public comment following the 2013 U.S.-China Human Rights Dialogue that while the U.S. and Chinese Governments often do not agree about human rights, this is clearly not an area of disagreement between the American and Chinese people.

I am particularly concerned over the recent crackdown against activists and bloggers, including the arrest of long-time activist and scholar, Xu Zhiyong, and other supporters of the New Citizen's Movement for advocating for fiscal transparency and fighting official corruption—in line with President Xi's own highly visible anticorruption campaign. The new legal interpretation in China that justifies charges of “defamation” and up to 3 years in prison for spreading “defamatory rumors” online is another source of deep concern. I believe such efforts are undermining China's stated objective of upholding the rule of law and building a modern, information-based economy and society. Ultimately, controls and restrictions on the freedom of expression, the free flow of information, and the innovations associated with them bear significant economic and social costs and negatively affect China's growth and stability.

Question. What is your opinion about the utility of the annual U.S.-China Human Rights Dialogue and would you modify that mechanism at all to make it more prominent, perhaps including your regional counterpart as well or officials from other U.S. agencies?

Answer. The promotion of human rights is a critical component of U.S. foreign policy and the U.S.-China Human Rights Dialogue (HRD) is an important part of an overall human rights strategy. It also presents an opportunity to engage Chinese counterparts in an extended, in-depth discussion of key human rights concerns and individual cases. It is not, however, a substitute for consistent high-level engagement from across the U.S. Government. If confirmed, I will work to ensure that human rights continue to be raised in high profile dialogues such as the U.S.-China Strategic & Economic Dialogue and the U.S.-China Legal Experts Dialogue. I strongly believe that the promotion and protection of human rights in China is in our national interest and, as such, should be an integral part of every conversation we have with Chinese officials, including at the President's and Secretary's level. The rule of law, an independent judiciary, a robust civil society, the free flow of information and respect for universal human rights and fundamental freedoms are key to China's ability to deal with domestic and global challenges and be a reliable international partner.

At the recent U.S.-China Human Rights Dialogue Acting Assistant Secretary Uzra Zeya raised, both publicly and privately, individual cases and our concerns over

China's continued failure to abide by its international human rights commitments. I am committed to continuing these important efforts and supporting the Dialogue and ensuring that it continues to include a broad cross section of agencies so that a consistent message on human rights is delivered to Chinese officials.

It is my understanding that Senior Department officials, such as Deputy Secretary Burns, former Under Secretary Otero, and others have participated in the Dialogue in the past, and I am committed to continuing to involve senior officials in the Dialogue. I strongly believe that the HRD is an opportunity to put into practice the Obama administration's commitment to involve all elements of the U.S. Government in promoting international human rights.

Finally, I consider the Human Rights Dialogue as a means to an end, but dialogue in and of itself does not constitute progress. If confirmed, I will make every effort to link specific outcomes to our continued engagement with Chinese officials through such forums as the Human Rights Dialogue.

RESPONSES OF KEITH M. HARPER TO QUESTIONS SUBMITTED
BY SENATOR JOHN MCCAIN

Question. How long did you serve as "co-class counsel" on *Cobell*?

Answer. The *Cobell* class was certified on February 4, 1997, and so I began to serve as class counsel on that date.

Question. On what date did you first learn about the January 20, 2012, "Ask Elouise" letter?

Answer. I learned of the January 20, 2012, "Ask Elouise" letter on January 20, 2012, after it was released.

Question. Did you receive a draft or have prior knowledge of the January 20, 2012 letter before it was published?

Answer. No.

Question. As coclass counsel, was it your responsibility to review documents and communications to plaintiffs including the January 20, 2012, "Ask Elouise" letter, prior to transmission or publication?

Answer. No. Lead counsel—who is a solo practitioner not part of Kilpatrick Townsend & Stockton LLP ("Firm")—was responsible for determining who among the litigation team were responsible for which tasks. Under this arrangement, the principal attorneys each had their own areas of responsibility. The "Ask Elouise" letters were not part of my responsibilities.

Lead counsel did not circulate the January 20, 2012, "Ask Elouise" letter either to me or, to the best of my knowledge, to any of the lawyers in the Firm prior to its publication.

Question. How did you become aware of the January 20, 2012 "Ask Elouise" letter?

Answer. I became aware of the "Ask Elouise" letter on January 20, 2012, after the letter's public release, when a lawyer representing one of the appellants sent an e-mail in objection.

Question. When the letter became public, why did you reportedly refuse to respond to press inquiries concerning the letter?

Answer. At the time of the letter's release, we were in active litigation. Although I personally did not support the letter, I was told by a Firm colleague that the class representatives, at the time, did support it. Accordingly, I was duty bound to not comment in a manner contrary to the letter and therefore could not express my reservations publicly about the re-publishing of the contact information of appellants.

Question. What is your understanding of how the January 20, 2012, "Ask Elouise" letter was transmitted to plaintiffs? By mail, online, print publishing, e-mail, or other?

Answer. At the time of the September 24, 2013, hearing, my understanding was that the letter was posted on January 20, 2012, on the Internet site www.indiantrust.com and that it had not been mailed or e-mailed to the entire class of 500,000 individuals. I have since confirmed that the letter was not e-mailed or mailed to the entire class of 500,000 individuals. Rather, I have now been informed that it was e-mailed by the claims administrator at the direction of lead counsel's litigation consultant, on January 20, 2012, to a listserv comprised of those who had

requested periodic electronic updates on the litigation. It was also posted on the indiantrust.com Web site at approximately that same time.

Because I was not responsible for managing postings to the Web site, or distributions to the listserv, I did not understand the precise manner in which the letter was posted and distributed until I was informed by colleagues after the September 24, 2013, hearing.

Question. Is it correct that you would not receive attorney's fees under the *Cobell* settlement legislation until the appeal discussed in the January 20, 2012, "Ask Elouise" letter was resolved?

Answer. Yes.

Question. Is it correct that one of the appellants identified in the January 20, 2012, "Ask Elouise" letter appealed the settlement because she determined that plaintiff attorneys were seeking excessive attorney's fees?

Answer. No.

Question. What is your connection to the Web site, "Indian Trust Settlement" (www.IndianTrust.com)?

Answer. My connection to the Web site was, and remains, of limited scope.

The Web site www.indiantrust.com is owned by a litigation consultant to the lead counsel. Lead counsel and the litigation consultant maintained custody and control of the Web site content at all times while the case was in active litigation, which ended in December 2012. During that time, the Web site published material relevant to the case, such as court filings. I and other class counsels worked on briefs and other materials, which were filed by paralegals or the litigation consultant. After filing these documents, the litigation consultant to lead counsel published them to the Web site.

I understand that the Web site is presently administered by the Garden City Group (GCG), the official claims administrator for the *Cobell* case, though the litigation consultant maintains ownership.

Question. On what date was the January 20, 2012, "Ask Elouise" letter (www.indiantrust.com/elo/1_20_12) removed from the Indian Trust Settlement Web site?

Answer. After learning of the letter's release, I expressed my misgivings about publishing the letter, especially the contact information of the appellants, to both other class counsel and other professionals at Kilpatrick Townsend. I urged my colleagues to facilitate removing the letter and to avoid posting material that could be construed to suggest harassment of appellants. On or around January 21, I was informed by colleagues that discussions about removing the letter from the Web site would be held with one of the appellant's attorneys who had objected to the letter. I understand from GCG that on January 22, 2012, the litigation consultant for lead counsel requested that GCG remove the letter from the Web site. On or about January 22, I was told by a Firm colleague that the letter was removed from the Web site. Additionally, my colleagues and I checked the Web site at that time and there found no link to the letter. Thus, at the time of my testimony on September 24, 2013, I was under the impression that the letter was indeed not on the Indiantrust Web site.

After I was informed on September 24, 2013, that the letter was still available through an Internet search, my law partners requested that GCG delete the letter so that it would be unavailable through an Internet search. I have been told that GCG did so on September 24, 2013.

Question. Why was the January 20, 2012, "Ask Elouise" letter removed from the Web site when it was and was it removed under your request or direction?

Answer. After I was informed on September 24, 2013, that the letter was still available through an Internet search, my law partners immediately requested that GCG delete the letter so that it would be unavailable through an Internet search. I have been told that GCG did so on September 24, 2013.

Question. What is your interpretation of the cap on fees, expenses, and costs in the Claims Resolution Act of 2010 for *Cobell v. Salazar*?

Answer. While Congress considered capping fees as an amendment to the Claims Resolution Act, it ultimately decided not to do so. The class representatives, our clients, did have an agreement with defendants that neither side would appeal any fee award between \$50 and \$99.9 million. In addition, under this same agreement, Class representatives agreed not to affirmatively assert counsel be paid more than \$99.9 million in attorneys' fees.

Question. Were you part of a petition to federal courts for \$223 million in attorney's fees in the class action lawsuit, *Cobell v. Salazar*?

Answer. The class representatives, our clients, decided that, consistent with the Agreement with Defendants, there would be an express request for \$99.9 million in fees. The Petition for Fees specifies that "Plaintiffs hereby assert a fee of \$99.9 million for class counsel's work through December 7, 2009."

The petition went on to explain that the Court had the discretion to award more under the controlling law, but that both plaintiffs and defendants agreed not to appeal if the award was between \$50 and \$99.9 million. The petition also stated, consistent with client direction, that in comparable cases, awards ranging around \$223 million would be consistent with controlling law. I was one of the counsel who signed this petition on behalf of our clients. The Court ultimately awarded the \$99 million amount asserted by plaintiffs in the petition for fees.

As I understand it, the class representatives, especially Ms. Louise Cobell, believed that it was critically important and consistent with the best interest of the class to seek a fee award in accord with fee awards for non-Indian class actions of similar size and complexity. She expressed concern that otherwise attorneys would be reluctant to represent Native American plaintiffs without financial means who are deprived of their rights by the federal government or other entities. This was unacceptable to Ms. Cobell and she was particularly sensitive to this point because, as she made clear on the record, she had grave difficulties finding lawyers to bring the *Cobell* case in the first place.

Question. Are you associated with a petition for additional fees related to the *Cobell* settlement? If so, for how much?

Answer. No.

Question. Approximately how many hours did you bill your clients for work in relation to *Cobell* at Kilpatrick and Native American Rights Fund (NARF)?

Answer. As a partner with Kilpatrick, I worked a total of 4,837.7 hours on *Cobell* through June 30, 2013.

I am no longer at NARF and I do not have access to this information, however, NARF's court filings indicate I worked 19,671 hours on the *Cobell* case.

Question. Approximately how much in fees have you collected to date in relation to *Cobell*?

Answer. On July 27, 2011, District Judge Thomas Hogan awarded plaintiffs \$99 million in attorney's fees. Of that amount, Judge Hogan awarded approximately \$85 million to be distributed, after all appeals were final, to class counsel. Class counsel included Dennis Gingold, Thaddeus Holt, and Kilpatrick Townsend & Stockton LLP. The remainder of approximately \$14 million was set aside because other counsel who had worked on the case in times prior were seeking their own award, which in aggregate amounted to approximately \$14 million. The Court later ordered that these fee issues be mediated but thus far the mediation has not been fruitful.

Question. What fees did you secure from tribal governments for work on the class action lawsuit, *Cobell*, or any other lawsuit against the federal government for mismanagement of tribal trust assets? Please identify each tribal government, the type of fee, and the rate that was negotiated for each.

Answer. We did not receive any payment for fees from tribal governments for work on the *Cobell* case. As for tribal trust lawsuits, the Firm received the fees as follows for our four tribal clients:

Ak-Chin Indian Community (AZ) agreed to pay the Firm hourly fees on a monthly basis so there was no contingency fee.

Tohono O'odham Nation (AZ) agreed to pay discounted hourly fees on a monthly basis plus a 6 percent contingency fee at the end of the case. The amount of that fee paid to the Firm at the end of the case was \$1,425,000 (this was in addition to the fees paid each month since 2006).

Initially, in 2006, the Passamaquoddy Tribe of Maine agreed to pay fees in an identical manner as the arrangement with Tohono O'odham. However, within a few months of our engagement, the Tribe asked us to change the arrangement so it would not have to pay the discounted hourly rates on a monthly amount. Accordingly, we modified the agreement consistent with the client wishes so that compensation for attorneys' fees was exclusively through a contingency fee. Unlike other clients, the Passamaquoddy Tribe made no payment of fees on a monthly basis throughout the litigation, thus the contingency fee agreed to was 15 percent. This is well below the standard of 30–40 percent for comparable contingency fee arrangements. When the case settled, the amount paid to the Firm was 15 percent of the settlement or \$1.8 million. In an October 1, 2013, letter to "Indian Country Today,"

Passamaquoddy Chief Joseph Socobasin on September 24, 2013, confirmed that the Tribe “was very happy with the settlement representation prepared by Kilpatrick Townsend & Stockton Firm.”

The Salt River Pima-Maricopa Indian Community (AZ) has not given the Firm permission to disclose the specifics of its fee arrangement. However, we can disclose that they paid monthly fees with a contingency at the end similar to Tohono O’odham.

Question. In your negotiations with tribal governments over fees referenced above, were tribal governments made aware that the defendant, the federal government, would be responsible for covering or directly paying their fees to you?

Answer. Yes. Two tribes—the Passamaquoddy Tribe and the Tohono O’odham Nation—agreed to have the funds directly paid to the Firm. This was not unusual and indeed the model used in other cases such as the Osage litigation (represented by another Washington, DC-based law firm). The Tribes had full ability to opt for nondirect payment to the attorneys. The Salt River Pima-Maricopa Indian Community, for example, decided to keep the terms of counsel fees confidential and therefore did not seek direct payment to counsel. For the tribes that did authorize direct payment, they did so expressly. Both the Passamaquoddy Tribe and the Tohono O’odham Nation expressly authorized direct payment to our Firm in tribal council resolutions approving the settlements.

Question. Please identify which tribes you negotiated fees referenced in the above questions between 2008 and 2010?

Answer. None of the fees negotiated for tribal trust cases were negotiated in this timeframe. All were negotiated in 2006 or early 2007.

Question. Did you negotiate *Cobell* fees at different rates for different tribes? Why is there a variance in rates?

Answer. No. *Cobell* fees were not negotiated for or with tribes. The fee in *Cobell* was determined by the court and paid out of the common fund. Therefore, all plaintiffs in the *Cobell* case, irrespective of tribal affiliation, were treated the same.

RESPONSES OF KEITH M. HARPER TO QUESTIONS SUBMITTED
BY SENATOR JOHN BARRASSO

Question. On September 24, 2013, you testified before the Senate Committee on Foreign Relations that one of your cocounsel in the class action lawsuit, *Cobell v. Salazar*, published an “Ask Elouise” letter which identified four individuals who challenged the settlement agreement between the parties in this case and provided the personal contact information of those individuals. You testified that you thought the letter was a “bad idea.” You further testified that when your law firm learned of the letter, your law firm had discussions with the cocounsel to pull the letter “off the web.”

◆ On what date did your law firm learn of this letter?

Answer. To the best of my knowledge, no one at my Firm knew of the “Ask Elouise” letter until it was posted to the www.indiantrust.com Web site on January 20, 2012, by Lead Counsel.

◆ On what date did you learn of this letter?

Answer. On January 20, 2012, after it was released.

◆ How did you learn of this letter?

Answer. I became aware of the “Ask Elouise” after the letter’s public release, when a lawyer representing one of the appellants sent an e-mail in objection.

◆ Besides having discussions with cocounsel, what other actions did you take to ensure the letter was no longer available on the web?

Answer. After learning of the letter’s release, I expressed my misgivings about publishing the letter, especially the contact information of the appellants, to both other class counsel and other professionals at Kilpatrick Townsend. I urged my colleagues to facilitate removing the letter and to avoid posting material that could be construed to suggest harassment of appellants. On or around January 21, I was informed by colleagues that discussions about removing the letter from the Web site would be held with one of the appellant’s attorneys who had objected to the letter. I understand from Garden City Group (GCG) that on January 22, 2012, the litigation consultant for Lead Counsel requested that GCG remove the letter from the Web site. On or about January 22, I was further told by a Firm colleague that the

letter was removed from the Web site. Additionally, my colleagues and I checked the Web site at that time and there found no link to the letter. Thus, at the time of my testimony on September 24, 2013, I was under the impression that the letter was indeed not on the Indian Trust Web site.

After I was informed on September 24, 2013, that the letter was still available through an Internet search, my law partners requested that GCG delete the letter so that it would be unavailable through an Internet search. I have been told that GCG did so on September 24, 2013.

- ◆ What other actions did you take to ensure class members did not threaten or harass the four named individuals in the letter?

Answer. Upon learning of the letter, I urged my colleagues that we should remove it from the Web site and that we should not post any further material that could be construed to suggest harassment of appellants.

Further, during my multiple discussions with class members in open and public forums—which I estimate to be more than 20 sessions—class members frequently raised the question of how to interact with objectors or appellants. I consistently made clear that, in interactions with objectors or appellants, there should be no harassment of any kind, and instead respectful dialogue.

Question. In the class action lawsuit, *Cobell v. Salazar*, the Agreement on Attorneys' Fees, Expenses and Costs states that the Plaintiffs' motion for class counsel's attorneys' fees, expenses, and costs shall not assert that class counsel be paid more than \$99.9 million. On December 17, 2009, before the Senate Committee on Indian Affairs, Mr. Thomas Perrelli, then Associate Attorney General at the U.S. Department of Justice, testified that "every dollar of attorneys' fees will actually come out from individual class members' distribution." The Claims Resolution Act of 2010 further provides that nothing in the section relating to attorneys' fees affects the enforceability of the Agreement on Attorneys' Fees, Expenses and Costs.

- ◆ Despite the \$99.9 million limit in this Agreement, did the class counsel and plaintiffs seek fees, expenses, and costs in excess of that amount?

Answer. The class representatives, our clients, decided that consistent with the Agreement with defendants, there would be an express request for \$99.9 million in fees. In accordance with our clients' position, the Petition for Fees specifies that "Plaintiffs hereby assert a fee of \$99.9 million for Class Counsel's work through December 7, 2009." The petition went on to explain that the Court had the discretion to award more under the controlling law, but that both plaintiffs and defendants agreed not to appeal if the award was between \$50 and \$99.9 million. The petition also stated, consistent with the direction of the client, that in comparable cases, awards ranging around \$223 million would be consistent with controlling law. The Court ultimately awarded the \$99 million amount asserted by plaintiffs in the petition for fees.

- ◆ How was it in the best interests of the class members to reduce their distribution by your request for the additional attorney fees, expenses, and costs in excess of \$99.9 million?

Answer. Plaintiffs in briefs filed by counsel asserted a claim for fees at \$99.9 million. The petition also made clear the Court had the discretion to award more and that such award would be consistent with controlling law.

As I understand it, the class representatives, especially Ms. Elouise Cobell, believed that it was critically important and consistent with the best interest of the class to seek a fee award in accord with fee awards for non-Indian class actions of similar size and complexity. She expressed concern that otherwise attorneys would be reluctant to represent Native American plaintiffs without financial means who are deprived of their rights by the federal government or other entities. This was unacceptable to Ms. Cobell and she was particularly sensitive to this point because, as she made clear on the record, she had grave difficulties finding lawyers to bring the *Cobell* case in the first place.

NOMINATIONS OF PHILIP GOLDBERG, ROBERT BLAKE, KAREN STANTON, AND AMY HYATT

WEDNESDAY, SEPTEMBER 25, 2013

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

Hon. Philip S. Goldberg, of the District of Columbia, to be Ambassador to the Republic of the Philippines
Hon. Robert O. Blake, Jr., of Maryland, to be Ambassador to the Republic of Indonesia
Karen Clark Stanton, of Michigan, to be Ambassador to the Democratic Republic of Timor-Leste
Amy Jane Hyatt, of California, to be Ambassador to the Republic of Palau

The committee met, pursuant to notice, at 2:33 p.m., in room SD-419, Dirksen Senate Office Building, Hon. Benjamin L. Cardin, presiding.

Present: Senators Cardin, Rubio, and McCain.

**OPENING STATEMENT OF HON. BENJAMIN L. CARDIN,
U.S. SENATOR FROM MARYLAND**

Senator CARDIN. Well, good afternoon, everyone.

I want to thank Senator Menendez for allowing me to chair today's hearing as we consider four nominees for ambassadorships in the Philippines, in the Republic of Indonesia, the Republic of Timor-Leste, and the Republic of Palau.

Before I give my opening statement, I am going to recognize and acknowledge my colleague from Rhode Island. I would not normally do this. Since he is going to be introducing a Marylander, I would normally take the prerogative to introduce a Marylander, particularly one that has such a wonderful family that is here today. But Senator Whitehouse is a dear friend. He is, of course, a distinguished Member of the United States Senate, comes from a family of diplomats, and has been a great addition to the United States Senate. We came at the same time. So I am going to yield first to Senator Whitehouse for the purposes of an introduction.

**STATEMENT OF HON. SHELDON WHITEHOUSE,
U.S. SENATOR FROM RHODE ISLAND**

Senator WHITEHOUSE. Thank you, Chairman Cardin. And I am very grateful to you for yielding to me on a constituent from Maryland. I know that I would not ordinarily ask or expect you to do that except for the fact that there is a closer connection involved here. I have the great pleasure and honor of introducing Ambassador Bob Blake who is a member of the panel. He is the son and grandson of Foreign Service officers and embodies a tradition of public service. His father, Ambassador Blake, I see in the audience as well, and his grandfather was Ambassador Whitehouse and was my grandfather too. So there is the connection.

Bob graduated from Harvard as an undergraduate and from the Johns Hopkins School of Advanced International Studies. He has a very distinguished career in the Foreign Service. He is serving now as the Assistant Secretary of State for South and Central Asia, an area with no shortage of problems and concerns. Before then, he was our Ambassador to Sri Lanka and the Maldives, again during a time of considerable activity. Before that, he was the Deputy Chief of Mission in India, and during a considerable period of that service, he was the acting Ambassador. And as you know, India is one of our largest and most significant embassies. Ambassador Blake won the Baker-Wilkins Award for best Deputy Chief of Mission in the world for his service in that particular role.

In his long career as a career member of the Foreign Service, he served in Turkey, Tunis, Algiers, Cairo. He has had the demanding job of watch officer at the State Department Ops Center. He is extremely well qualified for dealing with the issues that will be presented in Indonesia. Perhaps most significantly to this committee, he was an intern on the staff of the Senate Foreign Relations Committee for Senator Pell years ago.

It is easy for a family member to say nice things about Bob Blake. It is perhaps more meaningful what his colleagues think about him. He has received the State Department's Distinguished Service Award. He has received the Presidential Meritorious Service Award. He has received the Senior Foreign Service Performance Award it looks like nine times in a row, from 2003 through 2012. As I said, he got the Baker-Wilkins Award for the best Deputy Chief of Mission in 2005. He has won five different Superior Honor Awards, five different Meritorious Honor Awards.

And I look forward to a quick and uncontroversial confirmation of this very distinguished career member of our Foreign Service, and I wish him well.

And I want to recognize also his wife, Sofia, and two of his three daughters, unless somebody is hiding, who are here also to join their dad as he undergoes the ordeal of a confirmation hearing. So love to you all. And my aunt Sylvia is here as well.

Thank you, Chairman.

Senator CARDIN. Well, it is wonderful to have the Whitehouse-Blake family here. We are very pleased to have you all here. It is a real pleasure to get to know Senator Whitehouse's family a little bit better.

We know that you have an incredible record and legacy on foreign service. For all four of the nominees here today, you have

made a career of public service. So we thank all four of you for your commitment to an extremely challenging—and putting your family at—the sacrifices that are required. So we thank not only you, but we thank each member of your family for being willing to serve our country in this very difficult time.

As you know, President Obama has the rebalance to Asia agenda. So each of these countries are in a critical position to help U.S. interests in that region. And we, therefore, thank each of you for your willingness to step forward. Congratulations on your nominations. We thank you for the sacrifices that you are making.

To our four nominees, the countries you are headed to are important U.S. partners in building regional stability and prosperity as we rebalance our foreign policy toward the Asia-Pacific region. The Philippines, Indonesia, Timor-Leste, and Palau are thriving democracies which share our values. Yet, we have a unique relationship with each of these four countries.

With the Philippines, our strategic treaty ally, we are revitalizing our defense alliance and promoting inclusive, sustainable economic growth through a Partnership for Progress which will be beneficial to both the countries.

And during his October visit, President Obama may discuss the possibility of the Philippines joining the Trans-Pacific Partnership trade negotiations.

Our maritime security. The United States and the Philippines agree that disputes must be resolved through peaceful means with direct negotiations of the parties involved. About half the world's trade passes through the South China Sea. We have a direct economic interest in the peaceful resolutions of the maritime disputes. We strongly support the efforts being made by ASEAN to develop a code of conduct for the South China Sea, and our Embassy there can play a very important role in preventing first a spark from igniting a major incident that could present challenges for the United States.

Despite the vibrant democracy, the Philippines faces challenges in strengthening the rule of law and increasing transparency. Most concerning is the military practice of extrajudicial executions and the culture of impunity which President Aquino is trying to address.

Nearby Indonesia is the largest country in Southeast Asia and the most populous Muslim majority nation in the world. Indonesia has emerged from decades of dictatorship to become a vibrant democracy and is now a leader in the region. Indeed, Indonesia is the key player in getting ASEAN and China to the table on maritime security issues. So here in Indonesia, we have a key opportunity to be able to promote one of our major objectives in Asia.

The United States-Indonesia relationship is thankfully entering a new era of maturity. A 2013 Pew opinion poll showed that 61 percent of Indonesians have a positive view of the United States. I hope that remains true after the problems we are having in Congress this week. Of course, this may be partly because the President spent 4 years of his childhood in Jakarta. The Obama administration skillfully built on these ties to create a comprehensive partnership which covers issues ranging from education to security

to the environment, an increasingly critical element of our partnership.

The country boasts a stunning rich biodiversity which we will work together to protect through the Coral Triangle Initiative and other partnerships.

This year Indonesia hosts the Asia-Pacific Economic Cooperation forum, APEC. And I know, Mr. Blake, that you are eager to get out there before President Obama arrives on October 7. So we better get to work, otherwise we will have to pay for another airfare.

If confirmed, I hope when you do get there, you will prioritize critical rule of law issues and military reform and promote human rights and religious tolerance for all minorities.

Asia's newest nation, Timor-Leste, which gained independence from Indonesia in 2002, is a democracy success story. U.N. peacekeeper forces withdrew last year after they reached the important milestone of peaceful, democratic elections. That is something to be proud of, and we need to help do what we can to ensure the continued success of democracy and its economy continuing to grow stronger and make progress toward becoming an ASEAN member.

The Republic of Palau, situated in a geostrategically important position in the Pacific near critical sea-lanes of communication and rich fishing grounds is an important partner for regional security. Our compact obligates us to defend it against attack and allow us exclusive strategic access. We have agreed to an additional term of direct funding of the compact, and Congress is working to identify the funds to do so.

Palau is a good example of a successful Pacific island democracy. It also is a success story for women's rights in democracy. Of the four countries, Palau's traditional matrimonial culture and legal structure provides the most protection for women promoting equal treatment, equal employment, and equal pay. And I want to talk a little bit about that because I do believe this can be a model for us because there are many other countries in that region that do not have at all the same progress that has been made on gender equality.

In terms of gender equality in the other countries, we have a mixed picture. The Philippines prioritized gender equity. It was the first ASEAN country to ratify the U.N. Convention on the Elimination of all Forms of Discrimination Against Women, which the United States has yet to do, and has had two women Presidents, and we have not had a woman President yet. Yet, like the United States, it still struggles to realize the promise of equal pay for women and domestic violence remains a significant problem.

Indonesia and Timor-Leste, on the other hand, face more severe challenges to women's rights and empowerment as their legal and traditional structures limit women's rights. Both countries, however, are making improvements.

If confirmed, I hope that all four of you will advocate for social, political, and economic empowerment of women in your countries and throughout the region. Ensuring human rights, strengthening governance, and protecting the fragile environment must be top priorities for diplomacy in this region.

I look forward to hearing your thoughts in regards to these and other issues.

So we have a lot to build on as far as success in all four of these countries. All four of these countries play an important role for the United States and our strategic interests, and all four have challenges that we need to try to help strengthen. I hope that you will look at your opportunity, if confirmed as Ambassadors, to advance all these goals.

Mr. Blake, you have already been introduced. So let me at this time introduce the Honorable Philip Goldberg, a career member of the Senior Foreign Service, who is currently Assistant Secretary of the Bureau of Intelligence and Research. Prior to that, he was the Department's coordinator for the implementation of United Nations Resolution 1874 on North Korea sanctions. I must tell you I was recently in South Korea. Actually I stepped into North Korea one step at the DMZ. So I know the challenges that you had in that particular post.

You have also served as Ambassador in LaPaz, Bolivia, and Chief of Mission of the U.S. Office in Pristina, Kosovo. Other senior level positions include Chargé and Deputy Chief of Mission in Santiago, Chile, and acting Deputy Assistant Secretary for Legislative Affairs. So you bring an impressive record into this nomination.

The President's nominee to represent us in Timor-Leste, Mrs. Karen Stanton, is a career member of the Senior Foreign Service. She is currently serving as Executive Director of the Bureau of East Asia and Pacific Affairs. Previously she served as the East Asia and Pacific Deputy Executive Director. Prior to that, she was Management Counselor in Singapore. She has also held management positions in the Bureau of Human Resources and East Asia and Pacific Affairs and has served in Beijing, Islamabad, and Hong Kong. An impressive record also as you come before our committee.

Ms. Amy Hyatt is also a career member of the Senior Foreign Service, has been Management Counselor in Cairo since 2011. Prior roles include a diplomat in residence at Arizona State University, Deputy Chief of Mission and Chargé in Helsinki, and Management Counselor in Prague. In Washington, she has served in management positions in the Bureau of Human Resources and East Asia and Pacific Affairs and Political Analyst in the Bureau of Intelligence and Research. Her overseas assignments include Manila, Bangkok, Oslo, and Seoul.

As I mentioned earlier, Mr. Blake, you have already been introduced, but we are very proud of your Maryland roots and we are very proud of your distinguished record of achievements.

I have been joined by the ranking member of the Subcommittee on East Asia and the Pacific, Senator Rubio, and I will now yield to Senator Rubio for any comments that he may have.

**STATEMENT OF HON. MARCO RUBIO,
U.S. SENATOR FROM FLORIDA**

Senator RUBIO. Thank you, Mr. Chairman.

And congratulations to all the nominees, and thank you for your willingness to serve our country.

The countries we are going to talk about today represent an important cross section of the relationships we have throughout East Asia.

The Philippines, for example, is a top trading partner of the United States and an important ally in security, as reaffirmed in the 2011 Manila Declaration.

In Indonesia we have worked to boost bilateral relations with and to enhance cooperation along the lines of the U.S.-Indonesia Comprehensive Partnership.

Our relationship with Palau was forged in the aftermath of World War II, and we continue to cooperate on many issues on international affairs.

And, of course, Timor-Leste is a new nation with which the United States is building and strengthening its partnership.

But speaking more broadly, what I want to stress is that our relationships in East Asia are of central importance to America's interests overseas. And the work done by our embassies in the region are a key component of our efforts to pivot more attention to the Pacific. Such a pivot should not be one-dimensional, of course. It must be multifaceted and has to encompass comprehensive efforts that include engagement over our diplomatic and economic interests, as well as our regard for security concerns. Close cooperation with East Asia offers great opportunities for both the United States and for our partners there. And just as the United States continues to be an engine for progress and innovation, East Asia brings together a vibrancy, energy, and diversity that can fuel development and growth.

We also, however, face great challenges together such as those posed by extremists who work to attack us as well as our allies in the region. And as I have said before, a prosperous, democratic, and stable East Asia is crucial to our own safety and our own prosperity. And I hope that these goals top your priorities for American diplomatic engagement.

Toward these goals, I would say that there is no substitute for transparent, accountable, and responsive government. Such a commitment by governments leads not only to greater economic opportunity and to increasing security, but it also promotes our values, including our unwavering commitment to the values that bind the United States together with democracies in the region. This should include a willingness to highlight the importance of human rights and of religious freedom. Even to our allies, we should be willing to highlight that.

This brings up a concern that troubles me greatly and that is the issue of human slavery or human trafficking. The Asia-Pacific region has the largest number of human trafficking victims in the world at the rate of 3.3 victims per 1,000 inhabitants. I have cited this figure before and do so again because it is absolutely so shocking to me, as it should be to everyone. And I would urge all of you, if you are confirmed, to take up the fight against human trafficking and support of human rights, including religious freedom, as a central part of your mission overseas.

So I want to thank all of you once again for your willingness to serve our country, and I look forward to hearing your testimony.

And I want to thank you, Mr. Chairman, for scheduling this hearing.

Senator CARDIN. Well, thank you for your comments.

We will start with Secretary Goldberg.

STATEMENT OF HON. PHILIP S. GOLDBERG, OF THE DISTRICT OF COLUMBIA, TO BE AMBASSADOR TO THE REPUBLIC OF THE PHILIPPINES

Ambassador GOLDBERG. Thank you, Mr. Chairman, and thank you, Senator Rubio.

It is a great honor to appear before you today as President Obama's nominee to become the next United States Ambassador to the Republic of the Philippines. I am deeply grateful to the President and Secretary Kerry for placing their confidence in me and for this opportunity to serve our country.

Mr. Chairman, the United States and the Philippines have a deep and longstanding alliance based on democratic values and mutual interests, a shared history, and strong people-to-people connections. During World War II, soldiers from our two nations fought shoulder to shoulder to beat back the spread of tyranny. Today, the Philippines, one of only five U.S. treaty allies in the East Asia and Pacific region, is a vibrant democracy, an active member of the Association of Southeast Asian Nations, ASEAN, and home to Asia's second-fastest growing economy. President Obama will travel to Manila early next month in recognition of the importance of this relationship. If confirmed, I look forward to building on this already solid foundation between our two countries to strengthen ties at all levels.

Mr. Chairman, a cornerstone of our relationship with the Philippines is a shared commitment to stability and security in the Asia-Pacific region. We are partners in countering a wide range of threats, from terrorism and transnational criminal networks to cyber attacks and humanitarian disasters. Our two militaries engage in regular cooperation and training to strengthen and increase interoperability for defense, as well as humanitarian assistance and disaster response, counterterrorism, and nonproliferation. We are working together to help the Philippines support its security goals of monitoring its maritime domain and ensuring civilian law enforcement elements can provide internal security. In support of the Obama administration's rebalance to the Asia-Pacific, we are negotiating a framework agreement that would enable an increased rotational presence of U.S. forces in the Philippines. We also support Philippine efforts to reduce tensions surrounding the territorial disputes in the South China Sea, both through the creation of a code of conduct between ASEAN members and China and through internationally accepted dispute resolution mechanisms.

Our partnership with the Philippines is broad-based and multifaceted. We share strong economic and commercial ties. The United States is the Philippines' second-largest trading partner. We are also the country's largest foreign investor. But much more work needs to be done in order to bring the benefits of free trade and economic prosperity enjoyed by other countries in Southeast Asia to the 39 million Filipinos, roughly 42 percent of the country, who live on less than \$2 a day. If confirmed, I will seek to expand our economic relationship, which will benefit people of both countries. Through the Partnership for Growth and the Millennium Challenge Compact, our initiatives reinforce the Aquino administration's efforts to address corruption, improve economic competitiveness, and promote growth that is both inclusive and sustainable.

Our foreign assistance is also focused on health, education, good governance, energy, and the environment. Importantly, President Aquino has shown the political will and commitment to tackle corruption and promote good governance and respect for human rights.

Last, I would be remiss if I did not mention the special bonds that characterize our bilateral relationship. There are over 200,000 American citizens residing in the Philippines, and nearly 4 million people of Filipino origin in this country. Our public diplomacy programs build a long-term foundation for understanding and collaboration. Since 1961, some 8,500 Peace Corps Volunteers have been forging people-to-people partnerships between our two countries.

Mr. Chairman, for the past 3 years, I have had the honor to be Assistant Secretary of State for Intelligence and Research, and having served as Chief of Mission two times overseas, with sizeable interagency components, I believe I am prepared to meet the challenges of this very important and large mission in East Asia.

Thank you for allowing me to testify today. If confirmed, I look forward to working with this committee and its members as we both carry out our shared efforts and hopes to strengthen our relations with the Philippines.

Thank you.

[The prepared statement of Ambassador Goldberg follows:]

PREPARED STATEMENT OF HON. PHILIP S. GOLDBERG

Chairman Cardin, Senator Rubio, members of the committee; it is an honor to appear before you today as President Obama's nominee to become the next United States Ambassador to the Republic of the Philippines. I am deeply grateful to the President and Secretary Kerry for placing their confidence in me and for this opportunity to serve the United States of America.

Mr. Chairman, the United States and the Philippines have a deep and long-standing alliance based on democratic values and mutual interests, a shared history, and strong people-to-people connections. During World War II, soldiers from our two nations fought shoulder to shoulder to beat back the spread of tyranny. Today, the Philippines, one of only five U.S. treaty allies in the East Asia and Pacific region, is a vibrant democracy, an active member of the Association of South-east Asian Nations (ASEAN), and home to Asia's second-fastest growing economy. On November 16, 2011, we celebrated the 60th anniversary of the Mutual Defense Treaty with the signing of the Manila Declaration between then-Secretary of State Clinton and her counterpart, Foreign Secretary del Rosario. The following spring, we convened a historic 2+2 Ministerial in Washington, followed by President Aquino's visit to the White House in June 2012. And as you know, President Obama will travel to Manila early next month. If confirmed, I look forward to building on this already solid foundation between our countries to strengthen ties at all levels.

Mr. Chairman, as you know, a cornerstone of our relationship with the Philippines is a shared commitment to stability and security in the Asia-Pacific region. We are partners in countering a wide range of threats, from terrorism and transnational criminal networks to cyber attacks and humanitarian disasters. Our two militaries engage in regular cooperation and training to strengthen and increase interoperability for defense as well as humanitarian assistance and disaster response, counterterrorism and nonproliferation. We are working together to help the Philippines support its security goals of monitoring its maritime domain and ensuring civilian law enforcement elements can provide internal security. In support of the Obama administration's rebalance to the Asia-Pacific, we are negotiating a Framework Agreement that would enable an increased rotational presence of U.S. forces to the Philippines, enhance opportunities for joint military training and exercises, and allow for the prepositioning of equipment and supplies to respond quickly to natural disasters. We also support Philippine efforts to reduce tensions surrounding the territorial disputes in the South China Sea, both through the creation of a Code of Conduct between ASEAN member states and China, and through internationally accepted dispute resolution mechanisms like those provided for under the

United Nations Convention on the Law of the Sea. Ensuring freedom of navigation and unimpeded lawful commerce in the South China Sea remains an important U.S. national interest shared by the Philippines and others in the region.

Our partnership with the Philippines is broad-based and multifaceted. We share strong economic and commercial ties—the United States is the Philippines' second-largest trading partner with \$22 billion in two-way trade last year. We are also the country's largest foreign investor. But much more work needs to be done in order to bring the benefits of free trade and economic prosperity enjoyed by other countries in Southeast Asia, to the 39 million Filipinos—roughly 42 percent of the country—who live on less than \$2 a day. If confirmed, I will seek to expand our economic relationship, which will benefit people of both countries. Through the Partnership for Growth, which we support through 10 U.S. agencies, and the Millennium Challenge Compact, our initiatives reinforce the Aquino administration's efforts to address corruption, improve economic competitiveness and promote growth that is both inclusive and sustainable. Our foreign assistance is also focused on health, education, good governance, energy and the environment. The Philippines has long had the resources necessary to achieve its full potential. President Aquino has shown the political will and commitment to tackle corruption and promote good governance and respect for human rights.

Last, I would be remiss if I didn't mention the special bonds that characterize our bilateral relationship. Our public diplomacy programs build a long-term foundation for understanding and collaboration. Since 1961, some 8,500 Peace Corps Volunteers have been forging people-to-people partnerships between our two countries. There are over 200,000 American citizens residing in the Philippines and nearly 4 million people of Filipino origin in this country. Filipino Americans have made their mark by contributing to our country in so many fields. It is no surprise, therefore, that our Embassy in Manila is one of the largest visa processing posts in the world, both for travelers to the United States and those who seek to reunite with members of their family. The Philippines is also home to the only U.S. Veterans clinic overseas.

Mr. Chairman, for the past 3½ years I have been the Assistant Secretary of the Bureau of Intelligence and Research in the State Department. I have twice served as a Chief of Mission overseas, leading sizeable interagency teams, as Ambassador to Bolivia from 2006 to 2008 and Chief of Mission to Kosovo from 2004 to 2006. I have also been engaged in diplomatic efforts in East Asia in working to prevent North Korea's proliferation activities and have led interagency delegations to Southeast Asia toward that end. I believe that these experiences have prepared me well to be in charge of a large mission to an important ally in the Asia-Pacific region. If confirmed by the Senate, I look forward to leading the 1,400 outstanding men and women, both American and Filipino, who work in Embassy Manila.

Senator CARDIN. Thank you very much for your testimony.
Secretary Blake.

**STATEMENT OF HON. ROBERT O. BLAKE, JR., OF MARYLAND,
TO BE AMBASSADOR TO THE REPUBLIC OF INDONESIA**

Ambassador BLAKE. Mr. Chairman, Senator Rubio, it is an honor to appear before you today as President Obama's nominee to be the next Ambassador to the Republic of Indonesia. I am deeply grateful to the President and to Secretary Kerry for placing their confidence in me and for this incredible opportunity to serve the United States in this country of growing strategic importance to the United States.

I want to thank Senator Whitehouse for his gracious introduction, and if confirmed, I hope I can reciprocate by hosting CODEL Whitehouse in Indonesia.

Mr. Chairman, Senator Whitehouse already introduced my wife, Sofia, and two of our three daughters, Kalena and Alexie. It is with their love and support that I have been able to serve our great Nation in ever-more challenging assignments. But I would also like to recognize my parents, Robert and Sylvia Blake, who are here today. My father had a distinguished career in the Foreign Service

and instilled in me a respect for public service and an interest for foreign affairs. He is a big part of why I am here today.

Mr. Chairman, as you said, Indonesia is a strategic partner of the United States. It is the world's third-largest democracy, the most populous Muslim majority country, and an emerging economic leader. It is a member of the G20, the 2013 host of APEC, as well as the WTO ministerial, and a major influence within the Association of Southeast Asian Nations. Our countries share common values and increasingly convergent interests. If confirmed, one of my priorities will be to continue to broaden and deepen our bilateral relations.

Mr. Chairman, 3 years after President Obama and Indonesian President Yudhoyono signed our Comprehensive Partnership in 2010, we have arrived at an unprecedented level of interaction between our governments and it is my intention to sustain and build on that. Today, the United States looks to Indonesia as a valued partner in areas such as counterterrorism, environmental conservation, peacekeeping operations, and the promotion of human rights. Indonesia is also an important partner in our Asia rebalance policy.

Fifteen years ago, as Indonesia began its transition to democracy after decades of authoritarian rule and the Asian financial crisis, the prospects for Indonesia's future were uncertain. It is a testament to the commitment of the Indonesian people that a retreat from democracy is today unthinkable, and the work of institutionalizing open and inclusive governance continues.

The nature of our assistance is also changing. There are significant sectors such as higher education, health, and strengthening local government where the United States must continue to support Indonesia's efforts to build capacity. And with the support, Indonesia is on a steady path to assume its place as a middle-income country and expand its ability to engage with the United States and others. But Indonesia supports our goal to cofinance programs with the government, private sector, and civil society. We also have a robust defense cooperation agreement that supports international military education and training programs, as well as foreign military sales.

The United States has committed funds to support a \$600 million Millennium Challenge Corporation compact that focuses on low carbon development through financing for clean and renewable energy, sustainable land and forest management, as well as other priorities such as nutrition assistance.

If confirmed, I will pursue increased trade and investment opportunities for U.S. business, deepen our collaboration on innovations in science and technology, and share America's stories and values with the Indonesian people through our vigorous public diplomacy programs. I will also continue to engage with Indonesians to support their goals to strengthen democratic institutions and rule of law and seek continued progress on protection of members of religious minorities, curbing trafficking in persons, and upholding the rights of women.

Mr. Chairman, in my 28 years in the Foreign Service, I have been fortunate to serve our country in diplomatic postings in South Asia, the Middle East, and Africa, including most recently as Ambassador to Sri Lanka and the Maldives and my current position

as Assistant Secretary of State for South and Central Asia. If confirmed, I will rely on these experiences to lead our mission in Indonesia to tackle the challenges of the 21st century including, particularly, a sharp focus on the security for our personnel and private Americans. If confirmed, I will look forward to working with this committee and with each of you as we continue to carry out the President's priorities in Asia.

So, again, I thank you for this opportunity today, and I would be honored to take your questions.

[The prepared statement of Ambassador Blake follows:]

PREPARED STATEMENT OF ROBERT O. BLAKE

Mr. Chairman and members of the committee, it is an honor to appear before you today as President Obama's nominee to become the next United States Ambassador to the Republic of Indonesia. I am deeply grateful to President Obama and Secretary Kerry for placing their confidence in me and for the incredible opportunity to serve the United States in this country of growing strategic importance to us.

I would also like to introduce my wife, Sofia, and our three daughters, Kalena, Zara, and Alexie. It is with their unconditional love and support that I have been able to serve our great Nation for the last 28 years in ever-more challenging assignments. I would also like to recognize my parents Robert and Sylvia Blake who are here today. My father had a distinguished career in the Foreign Service and instilled in me a respect for public service and an interest in foreign affairs. Whatever good habits I have acquired as a diplomat can largely be ascribed to his and my mother's good genes and example.

Mr. Chairman, Indonesia, an emerging power, is a strategic partner of the United States. It is the world's third-largest democracy, the most populous Muslim-majority country, and an emerging economic leader, not only in Southeast Asia, but globally. Indonesia is a member of the G20, the 2013 host of APEC and the WTO Ministerial, and a major influence within the Association of Southeast Asian Nations (ASEAN). Our countries share common values, and, if confirmed, it will be one of my priorities to continue to elevate and deepen our bilateral relationship. Three years after President Obama and Indonesian President Yudhoyono signed the Comprehensive Partnership in 2010, we have arrived at an unprecedented level of interaction between our governments, and it is my intention to sustain and build on that. If confirmed, I will also seek to further the work of my predecessors to increase the people-to-people linkages among our citizens through educational and professional exchanges and public-private partnerships to create a long-term foundation for mutual understanding and collaboration.

Fifteen years ago, as Indonesia began its transition to democracy after decades of authoritarian rule, the prospects for Indonesia's future were very uncertain. It is a testament to the commitment of the Indonesian people that a retreat from democracy is unthinkable, and the work of institutionalizing open and inclusive governance and increasing capacity continues. Mr. Chairman, you and others on this committee may recall that there was a time when the United States had limited engagement with Indonesia. That time has passed. Today, the United States looks to Indonesia as a responsible emerging leader in the region and a valued partner in areas such as counterterrorism, environmental conservation, peacekeeping operations, and the regional and global promotion of human rights and democratic governance. Indonesia is also an important partner in our Asia rebalance policy to promote regional prosperity, underpinned by regional security and stability.

The nature of our U.S. foreign assistance relationship is also transforming. There are significant sectors—higher education, health, and strengthening local governance—where the United States must continue to support Indonesia's efforts to build capacity and improve outcomes. We also have a robust defense cooperation agreement that supports international military education and training programs, as well as foreign military sales. With this support, Indonesia is on a steady path to eventually assume its place as a middle-income country and expand its ability to engage in bilateral and trilateral cooperation, including with the United States.

The United States has committed foreign assistance funds to support a \$600 million Millennium Challenge Corporation compact that focuses on development of clean and renewable energy, sustainable land and forest management, nutrition assistance, and procurement modernization. Indonesia is among the top emitters of greenhouse gas and is one of several target countries for the President's Global Climate Change initiative. The United States has launched a number of significant

climate change and environmental cooperation programs with Indonesia to help address deforestation and land use challenges and advance Indonesia's efforts in Reducing Emissions from Deforestation and Forest Degradation. These efforts include the Indonesia Forestry and Climate Support Program and the Sustainable Landscapes Initiative; collaboration on peatland science and mapping; support for systems for monitoring, reporting, and verifying greenhouse gas emissions; and implementing low emissions development strategies.

There is more work for us to do, however. If confirmed, I will pursue increased trade and investment and opportunities for U.S. businesses, deepen our collaboration on innovations in science and technology, and share America's story and values with the Indonesian people through Public Diplomacy programs. I will also continue to engage with Indonesia's representatives and citizens to support Indonesia's goals to strengthen its democratic institutions and rule of law. I will also seek continued progress on protection of members of religious minorities and trafficking in persons.

Mr. Chairman, in my 28-year career in the Foreign Service I have been fortunate to serve the United States in both Washington and in diplomatic postings abroad in South Asia, the Middle East, and Africa, including as Ambassador to Sri Lanka and the Maldives and my current position as Assistant Secretary for South and Central Asian Affairs at the Department of State. If confirmed, I will bring the variety of my experiences, including policy and management responsibilities, to lead our mission in Indonesia to tackle the challenges of the 21st century, including the oversight of security for our personnel in our Embassy and constituent posts. If confirmed, I will look forward to working with this committee and engaging with each of you further, whether here in Washington or during your visits to the region, as we continue to carry out the President's priorities in Asia.

Senator CARDIN. I want to thank you for your testimony.

Ms. Stanton.

STATEMENT OF KAREN CLARK STANTON, OF MICHIGAN, TO BE AMBASSADOR TO THE DEMOCRATIC REPUBLIC OF TIMOR-LESTE

Ms. STANTON. Mr. Chairman, thank you, and Senator Rubio, thank you very much. I am honored to appear before you today as President Obama's nominee as Ambassador to the Democratic Republic of Timor-Leste. I am sincerely grateful for the trust and confidence the President and Secretary Kerry have shown in nominating me.

Mr. Chairman, if you will permit me, I would like to introduce my daughter, Ellie, here behind me, who is here to represent my family. My husband, Bill, is a retired Foreign Service officer and working in Taiwan, and my elder daughter, Kate, is in Australia.

Since I joined the Foreign Service in 1980, I have spent virtually my entire career supporting U.S. interests in Asia, mostly in consular and management positions. For the last 4 years, I have served as the Executive Director in the Bureau of East Asian and Pacific Affairs. The Bureau's Executive Office has been at the forefront of the State Department's effort to increase efficiency and contain costs in our overseas management. If confirmed, I pledge to bring all my skills and experience to provide the best possible leadership and management of the American Embassy in Timor-Leste.

My first experience with Timor-Leste was in 2002 when, on an earlier tour in the East Asia Bureau's Executive Office, I worked on the process for opening our new Embassy in Dili. I can remember wondering how this new country would overcome so many daunting challenges, but since that time, Timor-Leste has made significant progress. It is in many ways a remarkable success story.

The year 2012 alone was full of watershed moments for the country. Free and fair Presidential and parliamentary elections, suc-

successful transfers of authority to a new President and a new coalition government, celebration of the country's 10th anniversary of independence, the conclusion of the U.N. integrated mission and the International Stabilization Force, and the first visit of a U.S. Secretary of State. Timor-Leste has become a model young democracy and a significant achievement for U.N. peacekeeping.

The United States is committed to helping Timor-Leste build on its accomplishments in maintaining and increasing stability, institutionalizing democratic governance, expanding the rule of law and access to justice, and promoting prosperity. We are working to facilitate people-to-people exchanges between Timorese and U.S. citizens to reinforce appreciation for our shared values and communicate U.S. commitment to our partnership with Timor-Leste.

The U.S. military has an active program to support the ongoing professionalization of Timor-Leste's security and law enforcement agencies. Several U.S. agencies work with counterparts in Timor-Leste to strengthen their law enforcement capabilities. If given the honor of serving as Ambassador, I will build on these efforts to achieve security sector reforms necessary for a lasting peace.

The United States also supports efforts to strengthen democratic governance, accountability, and justice institutions in Timor-Leste. We support expanding access to justice for society's most vulnerable groups, including women and girls, and promote efforts to eliminate the scourge of gender-based violence. We are contributing to efforts to build human and institutional capacity within the judicial, legislative, human rights, and accountability bodies. If confirmed, I will work hard to advance human and political rights and good governance in Timor-Leste.

Timor-Leste has natural resource industries that are instrumental in developing its economy and lifting its citizens from poverty. Income from the country's modest oil and gas reserves currently provides 95 percent of Timor-Leste's state revenues and 80 percent of its gross domestic product.

Despite its financial assets, however, Timor-Leste lacks adequate human capacity. Approximately half of the population lives below the poverty line of 88 cents per day. Timor-Leste will require additional technical assistance and foreign support to enable the government to effectively use its own resources to address its people's urgent needs.

Our assistance programs focus on reducing poverty, stimulating economic growth, and building the human and institutional capacity needed to sustain Timor's success into the future. If confirmed, I will ensure that U.S. taxpayer funds are invested wisely to enable the Timorese to help themselves.

As we support stability and democracy in Timor-Leste, we are also developing an enduring partnership to promote democracy and human rights around the world. Time and again, the Government of Timor-Leste has joined with the United States in casting critical votes supporting core human rights principles at the United Nations.

Timor-Leste is an active international player, aspiring to ASEAN membership, and at the cutting edge of the aid effectiveness movement. It is a model for fragile states and for nation-building in post-conflict areas worldwide.

The United States is honored to partner with the Timorese, in concert with its many international friends, to ensure that the country consolidates its gains and continues to advance. Challenges remain, but with our continued support, Timor-Leste will create a brighter future for its people.

Mr. Chairman, Senator Rubio, thank you for allowing me to appear before you today. I am pleased to answer your questions.

[The prepared statement of Ms. Stanton follows:]

PREPARED STATEMENT OF KAREN C. STANTON

Mr. Chairman and members of the committee, I am honored to appear before you today as President Obama's nominee as Ambassador to the Democratic Republic of Timor-Leste. I am sincerely grateful for the trust and confidence the President and Secretary Kerry have shown in nominating me.

Mr. Chairman, if you will permit me, I would like to introduce my daughter, Ellie, who is here today to represent my far-flung family. My husband, Bill, a retired Foreign Service officer, is working in Taiwan, and my elder daughter, Kate, works in Australia. I joined the Foreign Service in 1980, in the midst of the Iranian hostage crisis. I spoke some French and had studied Western European politics, but reflecting the "worldwide availability" the Foreign Service prides itself on, the State Department sent me to Hong Kong. Since then, I have spent virtually my entire career supporting U.S. interests in Asia, mostly in consular and management positions, including as a consular officer in China during the Tiananmen Square protests. For the last 4 years, I have served as the Executive Director in the Bureau of East Asian and Pacific Affairs. The Bureau's Executive Office has been at the forefront of the State Department's effort to increase efficiency and contain costs in our overseas management. If confirmed, I pledge to bring all my skills and abilities to provide the best possible leadership and management of the American Embassy in Timor-Leste.

My first experience with Timor-Leste was in 2002, when on an earlier tour in the East Asia Bureau's Executive Office, I worked on the process for opening our then-new Embassy in Dili. I can remember wondering how this new country would overcome so many daunting challenges, but since that time Timor-Leste has made significant progress. It is in many ways a remarkable success story.

The year 2012 alone was full of watershed moments for the country: free and fair Presidential and parliamentary elections, successful transfers of authority to a new President and a new coalition government, celebration of the country's 10th anniversary of independence, the conclusion of the U.N. integrated mission and the International Stabilization Force, and the first visit of a U.S. Secretary of State. Timor-Leste has become a model young democracy and a significant achievement for U.N. peacekeeping.

The United States is committed to helping Timor-Leste build on its accomplishments in maintaining and increasing stability, institutionalizing democratic governance, expanding the rule of law and access to justice, and promoting prosperity. We are working to facilitate people-to-people exchanges between Timorese and U.S. citizens to reinforce appreciation for our shared values and communicate U.S. commitment to our partnership with Timor-Leste.

The U.S. military has an active program to support the ongoing professionalization of Timor-Leste's security and law enforcement agencies. The U.S. Pacific Command conducts exercises and exchanges. A U.S. Navy Seabee detachment works with Timorese military engineers to build or rehabilitate schools, clinics, and community centers, an effort which has been warmly received by the Timorese public. The Department of State supports the National Police in a number of ways, including through assignment of two U.S. police advisors in Dili. An array of U.S. agencies, including the Department of State's Diplomatic Security Bureau, the Federal Bureau of Investigation, the Drug Enforcement Agency, the Naval Criminal Investigative Service, and the Coast Guard, works with counterparts in Timor-Leste to strengthen their law enforcement capabilities. If given the honor of serving as Ambassador, I will build on these efforts to achieve security sector reforms necessary for a lasting peace.

The United States also supports efforts to strengthen democratic governance, accountability, and justice institutions in Timor-Leste. We support expanding access to justice for society's most vulnerable groups, including women and girls, and promote efforts to eliminate the scourge of gender-based violence. We are contributing to efforts to build human and institutional capacity within the judicial, legislative,

human rights, and accountability bodies. If confirmed, I will work hard to advance human and political rights and good governance in Timor-Leste.

Timor-Leste has natural resource industries that are instrumental in developing its economy and lifting its citizens from poverty. Income from the country's modest oil and gas reserves currently provides 95 percent of Timor-Leste's state revenues and 80 percent of its gross domestic product. Timor-Leste was the third country in the world and the first in Asia to become fully compliant with the Extractive Industries Transparency Initiative.

Despite its financial assets, however, Timor-Leste lacks adequate human capacity. Approximately half of the population lives below the poverty line of 88 cents per day. Timor-Leste ranks near the bottom worldwide in terms of maternal and infant mortality and malnourishment. Timor-Leste will require additional technical assistance and foreign support to enable the government to effectively use its own resources to address its people's urgent needs.

Our assistance programs focus on reducing poverty, stimulating economic growth, and building the human and institutional capacity needed to sustain Timor's progress into the future. If confirmed, I will ensure that U.S. taxpayer funds are invested wisely to enable the Timorese to help themselves.

As we support stability and democracy in Timor-Leste, we are also developing an enduring partnership to promote democracy and human rights around the world. Time and again, the Government of Timor-Leste has joined with the United States in casting critical votes supporting core human rights principles at the United Nations.

Timor-Leste is an active international player, aspiring to ASEAN membership and at the cutting edge of the aid effectiveness movement. It is a model for fragile states and for nation-building in post-conflict areas worldwide.

The United States is honored to partner with the Timorese, in concert with its many international friends, to ensure that the country consolidates its gains and continues to advance. Challenges remain, but with our continued support, Timor-Leste will create a brighter future for its people.

Senator CARDIN. Thank you for your testimony.

Ms. Hyatt.

**STATEMENT OF AMY JANE HYATT, OF CALIFORNIA, TO BE
AMBASSADOR TO THE REPUBLIC OF PALAU**

Ms. HYATT. Mr. Chairman, Senator Rubio, I am honored to appear before you today as President Obama's nominee for Ambassador to the Republic of Palau. I am sincerely grateful for the trust and confidence that the President and Secretary Kerry have placed in me.

Permit me to express my gratitude to dear friends and colleagues who have stood by me and helped mentor me to help me be where I am today and through the years, and to John and Dee and to my late parents, Rene and Ernie, and most especially my three children, Erin, Zach, and Emma. My family has been shaped by our many years in the Foreign Service. My children have made sacrifices for my career. They have made them in good cheer—well, mostly in good cheer, occasional griping. And I am grateful for their understanding.

It has been an honor and a privilege to serve my country for over 28 years in the Foreign Service, 10 of those years focused on East Asia. I am proud to represent the American people overseas.

The United States and the Republic of Palau have enjoyed a close and special relationship for over 60 years, a relationship forged in history from the battle of Peleliu in World War II, through trusteeship, until today as two independent nations closely bonded in friendship. The United States has built roads, hospitals, and schools on Palau and helped them develop a stable democracy modeled on our own system of government. Palau has come a long

way. Thank you, Mr. Chairman, for recognizing its success in promoting gender equality.

Palau has stood beside us in good times and bad. Young Palauans have fought with us in Iraq and Afghanistan. Currently 500 Palauans serve in our military, and seven have made the ultimate sacrifice in Afghanistan. These are significant numbers for a country of under 20,000 people. No member state at the United Nations has a better record of voting with the United States than Palau.

In furtherance of our efforts to close Guantanamo Bay detention camp, Palau was one of the first countries to step forward to accept temporary resettlement of six ethnic Uighur detainees.

The United States and Palau concluded a compact of free association in 1994 that provided the framework for our bilateral relationship. Its provisions ensure the security of Palau and contribute to the security of the United States. The compact does not have a termination date, but requires a review at the 15-, 30-, and 40-year anniversaries. Our two governments worked closely over 20 months of discussions to conclude the 15-year review, which resulted in a bilateral agreement signed by both of our governments in 2010. This agreement is currently undergoing congressional review.

The maturity of the democratic process in a relatively young state as Palau is a testament to the people of the Pacific and reinforces the value of the compact as a vehicle for their transition to greater self-sufficiency. Implementation of that agreement is essential for the continuation of our relationship, as well as for Palau's continued economic development.

I hope Congress will approve the Palau legislation soon, and if confirmed, I look forward to working with you on this issue. How we manage our relationship with Palau over the next several years will set a tone that could last for decades.

If confirmed, I look forward to working with the members of this committee and other distinguished Members of Congress and your staff members to achieve U.S. policy goals, to strengthen our relationship with the Republic of Palau. I pledge to promote and protect U.S. interests, to pursue tirelessly human rights, freedom of religion, and to combat trafficking in persons. Most importantly, I pledge to ensure the security and well-being of American citizens in Palau and to lead effectively our talented and dedicated American and Palauan staff.

Mr. Chairman, in closing, I would like to emphasize that Palau was our protectorate and is now our ally. The people of Palau are woven into the American fabric, serving with distinction and honor in our military, and living and working beside us in the United States. Palau remains a dependable partner in bolstering security in the western Pacific. As the economic center of gravity shifts to the Asia-Pacific region, the importance to U.S. interests of a stable, increasingly prosperous, and democratic Palau in this dynamic region continues to grow.

I thank you again for the privilege of appearing before you today. I am pleased to answer your questions.

[The prepared statement of Ms. Hyatt follows:]

PREPARED STATEMENT OF PALAU AMY HYATT

Mr. Chairman and members of the committee, I am honored to appear before you today as President Obama's nominee to be the next Ambassador to the Republic of Palau. I am deeply grateful for the trust and confidence that President Obama and Secretary Kerry have placed in me. Permit me to express my deep gratitude to my three children: Erin, Zach, and Emma. My family has been shaped and tested by my many years in the Foreign Service, and we have emerged stronger in our commitment to public service.

It has been an honor and privilege to serve my country for over 28 years in the Foreign Service, 10 of those years in East Asia. I have served in Korea, Thailand, and the Philippines, as well as in Europe, the Middle East, and Washington. I have enjoyed every one of my tours and learned much about the languages and cultures of other countries. I am deeply grateful to be an American citizen and proud to be entrusted with representing the American people overseas. If confirmed, I will faithfully represent to the people of Palau the values and ideals we Americans hold dear and steadfastly pursue our country's interests in the region.

The United States and the Republic of Palau have enjoyed a close and special relationship for over 60 years. In 1947, the United Nations assigned the United States administering authority over the Trust Territory of the Pacific Islands, which included Palau, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Commonwealth of the Northern Mariana Islands. During that period, the United States built roads, hospitals, and schools and extended eligibility for U.S. federal programs in the Trust Territory. Over the years, several of the trustee islands sought changes in their political status, leading to full independence. Palau adopted its own constitution in 1981, and the governments of the United States and Palau concluded a Compact of Free Association that entered into force on October 1, 1994.

Our Compact of Free Association provides the framework for much of our bilateral relationship. Its provisions ensure the security of Palau and contribute to the security of the United States. Palau now has a new President—Tommy Remengesau, Jr.—and new Cabinet in place, and how we manage our relationship with Palau over the next several years will set a tone that could last decades. If confirmed, I will work closely with this committee and Congress to ensure U.S. interests in the region are strengthened through a mutually beneficial and cooperative relationship with Palau.

Palau's stable government is modeled on our own. Palau shares our vision on important international goals for human rights and democracy. The maturity of the democratic process in a relatively young state as Palau is a testament to the strong values of the people of the Pacific and reinforces the value of the Compact as a vehicle for their transition to greater self-sufficiency.

Our Compact with Palau, which took effect in 1994, does not have a termination date and requires a review on the 15-, 30-, and 40-year anniversaries of its effective date. The direct economic assistance provisions of the Compact, however, expired on September 30, 2009. Our two governments worked closely over 20 months of discussions and negotiations to conclude the 15-year review, which resulted in a bilateral agreement signed by both our governments in September 2010. The Compact Review Agreement is currently undergoing congressional review. Implementation of the agreement is essential for the continuation of our relationship as well as for Palau's continued economic development and future self-sufficiency, and I hope Congress will approve the Palau legislation soon. If confirmed, I look forward to working with you on the approval of Palau legislation.

With more than 20 U.S. Government agencies conducting programs in Palau, I believe it is important to improve coordination among them to ensure our efforts are effective and implemented with transparency and accountability. If confirmed, I will work especially closely with the Department of the Interior, which administers and oversees assistance to Palau under the Compact and its related agreements. Unfortunately, the Peace Corps will close its Palau office next year. The Peace Corps will continue to support volunteers currently in Palau until they end their service in August 2014. In the future, the Peace Corps will work with the Government of Palau in placing shorter term volunteers through the Peace Corps Response program. If confirmed, I will work with the Peace Corps and the Government of Palau to ensure the smooth transition of volunteers from longer term to shorter term assignments.

Under the Compact, citizens of Palau may live and work in the United States. Many of Palau's young adults are serving in the U.S. military today in Afghanistan and throughout the world. Palauans serving in our Armed Forces have made the ultimate sacrifice to make the world a safer place for us all. Palau's Ambassador

to the United States, Hersey Kyota, has two adult children serving in the Armed Forces. He has several nephews serving in the Army and Marine Corps. The sons and daughters of other Palauan Government officials and of ordinary Palauan citizens have also served honorably in U.S. military units through the decades.

The importance of our strong relationship with Palau extends beyond defense considerations. Palau is a loyal friend and ally in many other ways. Palau has a strong record for voting with the United States at the United Nations on a number of resolutions in the General Assembly. Over the years, Palau has stood by us and provided critical votes on issues vital to U.S. interests. Palau has the highest level of support for U.S. positions (over 95 percent) of any member state, including on key issues such as Israel and support for human rights. If confirmed, I will work with the Government of Palau on these important issues. In support of our efforts to close the Guantanamo Bay Detention Camp, counterterrorism policy, in 2009, Palau temporarily resettled six ethnic Uighur detainees from Guantanamo at a time when few other countries were willing to step up. Palau has been a patient and cooperative partner with us as we work through permanent resettlement options for the remaining Uighurs. If confirmed, I will work closely with the Government of Palau on this important and sensitive issue.

The United States and Palau have engaged in law enforcement exercises over the past year and have conducted joint maritime surveillance operations. Palau is also an active participant in the Shiprider program, an effort that benefits both Palau and U.S. maritime security initiatives. In addition, on August 15, 2013, the United States and Palau concluded a new maritime law enforcement agreement that will allow our two countries to further enhance maritime cooperation. If confirmed, I will work with the Department of Defense and the Department of Homeland Security and will continue to look for opportunities to conduct further joint surveillance operations that would include the Palau Pacific Patrol Boat.

The United States enjoys close cooperation with Palau on a range of environmental issues of critical concern in the Pacific. We have been a strong partner with the Pacific Islands in our shared efforts to achieve sustainable management of Pacific fisheries resources and combat illegal, unreported and unregulated fishing (IUU) fishing. President Remengesau has stated his intention to ban all commercial fishing in Palau's EEZ. If confirmed, I will work with the President to seek his views on replacing fishing revenue with tourism revenues. Palau is also a strong supporter of combating climate change. This year through the Department of State and USAID, we will fund a climate change adviser to help Palau with its climate change initiatives. I welcome engagement with our Regional Environment hub based in Suva as we identify and address mutual interests, both bilateral and regional, in the areas of environment and science.

Palau is a strong partner in fostering regional cooperation in the Pacific. Next year, Palau will host the 45th Pacific Island Forum (PIF), a premier intergovernmental organization that aims to enhance cooperation between the independent countries of the Pacific Ocean. If confirmed, I will work closely with the Government of Palau to highlight U.S. priorities in the Pacific and our strong support for regional security and stability at next year's PIF. I will also work with regional partners to ensure that all U.S. assistance is transparent and coordinated with the work being done by other donors in the region, including Japan and Australia.

If confirmed, I look forward to working with the members of this committee, other distinguished Members of Congress, and your staff members to achieve U.S. policy goals and strengthen our relationship with the Republic of Palau. I pledge to promote and protect U.S. interests and lead effectively our talented and dedicated American and Palauan staff.

Mr. Chairman, in closing, I would like to emphasize that Palau was our protectorate but is now our ally. The people of Palau are woven into the American fabric, serving with distinction and honor in our military and living and working beside us in the United States. Palau remains a dependable partner in bolstering security in the Western Pacific. As the economic center of gravity shifts to the Asia-Pacific region, the importance to U.S. interests of a stable, increasingly prosperous, and democratic Palau in this dynamic region continues to grow.

Senator CARDIN. And thank you for your testimony. I thank all four of you for being here today and for your testimonies before the committee.

Ms. Hyatt, let me start with you. You mentioned the compact that was entered into between the United States and Palau in 1994, the fact that it was reviewed after 15 years. It has now been almost 20 years. It requires certain defense obligations that we

have, certain obligations that are mutual between the two countries. A lot has changed in 20 years.

Can you just share with us your view? You recommend that we approve the agreement that was entered into on the 15th-year review. Can you just review for us the strategic importance of Palau today to U.S. interests on security and economics?

Ms. HYATT. Certainly, and thank you for that question, Mr. Chairman.

Palau's location is strategic in the western Pacific. The compact agreement that we signed with Palau gives the United States access to sea, air, and land rights. It also gives us the important ability to deny that access to other nations. Palau has been a good partner to the United States both in the United Nations and serving with us in areas around the world. Palau has been a good partner. By funding and ratifying this agreement, we will be meeting our commitments and demonstrating to Palau that our commitments are important, that the United States word is good, and we will be demonstrating that to other nations in the Pacific.

Senator CARDIN. And how strategically important from a military point of view is access to that geography?

Ms. HYATT. Mr. Chairman, that is something that is being explored. Certainly its location is strategically important. I would be happy to take that question and provide more information as to its strategic location.

[The written reply to the question follows:]

The importance of our special relationship with Palau is most clearly manifested in the U.S. defense posture in the Asia-Pacific region, which forms a north-south arc from Japan and South Korea to Australia. Maintaining U.S. primacy in the Pacific depends on our strong relationship with the Freely Associated States of Palau, the Marshall Islands and the Federated States of Micronesia, which along with Hawaii, Guam, the Commonwealth of the Northern Mariana Islands, American Samoa and the smaller U.S. territories comprise an invaluable east-west strategic security zone that spans almost the entire width of the Pacific Ocean.

Additionally, critical security developments in the region require the United States sustained presence and engagement, particularly given the range of U.S. strategic interests and equities in the Western Pacific. Essential elements of our presence include the Reagan Ballistic Missile Defense Test Site on U.S. Army Kwajalein Atoll in the Marshall Islands and disaster relief operations throughout the region.

The economic interests of the United States are deeply embedded in the region, and specifically Palau. The South Pacific Tuna Treaty between the United States and 16 Pacific Island Parties, including Palau, affords fishing access to their exclusive economic zones. The Treaty is an important component to the strong and mutually beneficial strategic and economic relationship between the United States and Palau. The average estimated value of U.S.-caught tuna landed in the region in recent years exceeds \$350 million, with a total annual contribution to the U.S. economy of between \$500 and \$600 million. Due the economic importance of this region to the United States, it is imperative that we maintain favorable relationships with all of our regional partners, including Palau.

Senator CARDIN. Thank you.

Let me, Mr. Blake, talk a little bit about the issue I raised in my opening comment and that is gender issues. Indonesia has significant problems. And let me acknowledge all four of the countries that are represented by the nominees today are close allies of the United States. We share a lot in common. They are democracies, and we want to build upon the shared values.

But Indonesia has one of the weakest legal protections for women and equality, with marriage laws stipulating that the men

are head of households, with discrimination in the workforce, etc. Can you just share with us your thoughts as to how the United States can help deal with gender equity issues in the Muslim-dominated country of Indonesia, recognizing there is a limit to what we can do but also recognizing that a way a country treats its women very much will affect its stability and growth?

Ambassador BLAKE. Thank you, Mr. Chairman.

As you yourself said in your opening remarks, there has been, in fact, quite considerable improvement in the treatment of women in Indonesia over the last 15 years or so, and that tracks the broader improvement in human rights and trafficking in persons and religious freedom that we have seen in Indonesia.

I think now it is interesting to note that 4 of the Cabinet members of Indonesia are women out of the 35. Roughly 18 percent of the members of Parliament are women, and I think there is a growing recognition of the importance of protecting and upholding the rights of women.

So we will continue to work very, very hard on this. This is one of the highest priorities we have, and I assure you that will be a priority for me.

Senator CARDIN. One of the major human rights concerns in the countries that you all would be stationed is the abuses of their military or their police, the extrajudicial matters, executions, detentions, et cetera. For a democracy, that is an issue that is a major, major concern. So I would like to get the views of the nominees particularly from the Philippines and Indonesia but Leste also has an issue on this matter.

So, Secretary Goldberg, we will start with you.

Ambassador GOLDBERG. Mr. Chairman, it is a very important issue and one we have worked with the Philippines on for some time in our efforts to improve the rule of law and to work with the Filipinos as they try to strengthen institutions, including the military and the police, and their ability to deal with issues, especially the one you mentioned of extrajudicial executions.

There have been some encouraging signs in strengthening the rule of law under the Aquino government. There is an interagency commission formed to try to help with prosecutions and investigations of extrajudicial killings. But it is still an important issue and one that is not fully resolved and one we have to continue to work on, both through our assistance programs in trying to strengthen the institutions and the rule of law that will ultimately allow the problem to be handled in a way befitting a democratic country, but also to encourage diplomatically observance of these very important rights.

Senator CARDIN. Mr. Blake.

Ambassador BLAKE. Mr. Chairman, this has been a high priority for the United States for many, many years now in Indonesia. In part because of our efforts, in part mostly because of the efforts of the Indonesian Armed Forces and the court system and the political leadership, there has been quite considerable improvement in the human rights performance of the security forces in Indonesia. That led us to lift sanctions on the Indonesian military in 2005. The one unit of the Indonesian military where we still have some

restrictions is the special forces, the so-called Kopassus, where we have begun a process of calibrated reengagement.

But I think it is quite notable that earlier this year, for example, there was an incident where members of Kopassus broke into a jail and executed several people. They were brought to trial and were given sentences of between 6 and 11 years which were unprecedented for the Indonesians. So certainly there is scope to do more and we will continue to engage on this. But I think it is important to note that the Indonesians themselves have made this a priority.

Senator CARDIN. Thank you.

Ms. Stanton, the problem in Timor-Leste is more with the police and excessive use of force, et cetera. Can you just share with me your thoughts in that regard?

Ms. STANTON. Thank you, Mr. Chairman.

Yes. Certainly many of the problems faced by Timor-Leste in the middle part of the first decade of the 21st century had to do with the lack of discipline and concerns within the police and the military which led to disruption in civil order. These are, of course, key concerns for the United States and Timor-Leste. As I mentioned in my testimony, we have both U.S. military and U.S. law enforcement agencies working with their partners in Timor-Leste to assist them with the professionalization of both the military and the police. So far, since the departure of the United Nations and international peacekeepers, things have remained calm. Although there have been occasional problems, the government and the police and military in East Timor have successfully weathered these challenges.

So, of course, I want to ensure that we continue to make progress in this area and continue to have the support of agencies in the United States who can provide the kind of training that is essential to the professionalization of these organizations.

Senator CARDIN. Thank you.

Senator Rubio.

Senator RUBIO. Thank you, Mr. Chairman.

I will begin with you, Mr. Goldberg. I just wanted to ask, is the United States fully clear with the Philippines on what the mutual defense treaty does or does not cover in the scenario of an armed conflict in the South China Sea? I guess, are the United States and the Philippines in full agreement on that?

Ambassador GOLDBERG. Certainly there are discussions. There was a 2+2 meeting of the Defense Ministers and the Secretary of State and the Foreign Ministers where issues like those are discussed.

I would point out, Senator Rubio, what we are encouraging, especially with regard to the South China Sea issues and the territorial claims, are peaceful and legal solutions, and these are the ones that the Philippines are pursuing through an arbitral process under the Law of the Sea convention and through trying to arrange a code of conduct with other ASEAN member states so that rules of the road in the South China Sea can be worked out. So they are looking for legal and peaceful means to resolve those disputes.

In terms of the mutual defense treaty, it is now 62 years old. It remains a cornerstone of our relationship, of our military relationship but also our alliance, and it does commit both sides to mutual

defense under articles 4 and 5. But I think in terms of its content and its applicability, I would not want to speculate or go into the kinds of hypotheticals and things like that.

Senator RUBIO. OK.

Mr. Blake, I really am interested in the Indonesian question. You know, there was a hearing before Tom Lantos' Human Rights Commission earlier this year, and there senior State Department officials stated that the United States Government has very serious concerns about the growing religious intolerance and violence against minorities in Indonesia, in particular, the promotion by Indonesian officials of discriminatory laws and policies and action in investigating and prosecuting members of radical Islamic groups who engage in violence against religious minorities, including Christians, Shia Muslims, others.

I have this article here published on the 24th of this month, the Catholic Herald from the U.K. Its headline reads: "Intolerance in Indonesia is Becoming Mainstream." It uses a term I guess I have heard for the first time, "Pakistanization," a phrase increasingly used in Indonesia to warn of the direction the country could be heading.

I guess, can you comment in general about this concern, this direction? Now they are having an election coming up in 2014. There are concerns about the current President's position with regard to some of these issues. It would be sad if Indonesia headed in that direction because we have often held it up as a model of what a moderate Muslim country can do in terms of tolerance. So your general perceptions of this issue and what you particularly intend to do as an ambassador to be a forceful voice on behalf of religious liberties.

Ambassador BLAKE. Thanks, Senator Rubio.

As you probably know, I have been working on South and Central Asia on these issues for the last 4½ years, and we have, I think, made some progress in some of the SEA countries. So this is an issue of great importance to me.

I guess I would take slight exception with whatever the article is that you were pointing to. I think there has been, as I said earlier, quite an important democratic evolution in Indonesia over the last 15 years. There is a tradition of tolerance and respect for religious diversity in Indonesia. Perhaps there are officials that might support this, but the President, President Yudhoyono, has himself criticized many times religious extremism and acts of violence against religious minorities and made it clear that those kinds of things will not be tolerated.

And I think it is important to note that as Indonesian civil society has emerged over the last 15 years as rule of law has strengthened, that Indonesian society, the growing middle class, rejects this kind of extremism as well. So, yes, it does exist but I think that the trends are positive in trying to address that.

And I do not think it is appropriate to compare it to the Pakistanization of Indonesia. I just do not think that is right.

But let me assure you that I will be very committed to working on these issues and to, again, forming strong partnerships with friends in government and in civil society in Indonesia to help combat this.

Senator RUBIO. Thank you.

Ms. Stanton, I just wanted to ask you quickly. The 2013 Trafficking in Persons report—in that report, Timor-Leste was designated as a Tier Two destination country for human trafficking women and girls from Indonesia, China, the Philippines. They are subjected to sex trafficking in Timor-Leste.

How would you encourage the government there to improve its fight against sex trafficking? Will that be a priority for you?

Ms. STANTON. Senator, thank you.

Absolutely that will be a priority for us.

The Government of Timor-Leste has draft legislation regarding trafficking, and we have been urging them to move it forward into their Parliament. That is something I will pay close attention to should I be confirmed and arrive in Timor-Leste. It is a key concern of ours in the State Department that this move forward and that they ensure the protection of these vulnerable groups.

Senator RUBIO. Thank you.

Before my time runs out here, Ms. Hyatt, I have a similar question for you. According to the same report, Palau is a Tier Two country as well. So what steps would you take to encourage them to join the 2000 United Nations Trafficking in Persons protocol and then, in general, to encourage the government there to improve its prevention, prosecution, and protection for human trafficking?

Ms. HYATT. Thank you for that question, Senator Rubio.

I have a very personal interest in trafficking in persons. I worked on those issues when I was Chargé in Finland before Finland understood the importance and was aware of the problems that existed. That is a success story now in Finland. And also as a trial attorney in San Francisco, I worked on those issues in that capacity.

The news in Palau is actually getting better because one of its first cases—the district attorney in Palau is prosecuting one of its first cases against trafficking. So, if confirmed, I would have a good partner in the government officials in Palau to address those issues. And let me assure you that they would be among my highest priorities.

Senator CARDIN. Senator McCain.

Senator MCCAIN. Thank you, Mr. Chairman, and thank all of our Ambassadors for their service and their continued service.

I guess, Ambassador Goldberg, you and I talked in my office about the many priorities and importance of our relationship with the Philippines. Given the involvement I have had in the military and national security issues, you and I talked about the importance of very sensitive but maybe important negotiations concerning joint operations with the Philippine military which they seem much more inclined to engage in given the tensions in the South China Sea. I am interested in your views on that aspect of our relationship.

Ambassador GOLDBERG. Thank you, Senator McCain.

As we discussed the other day, we are negotiating a framework agreement that will lead to added rotational presence at facilities in the Philippines. It is an integral part of our efforts to help the Philippines as it modernizes its military, undertakes new missions, including maritime security, maritime domain awareness, both of

which are important in the South China Sea context, but also enduring missions against counterterrorism where we have been working with the Philippine Army for some time and also in the traditional civil and humanitarian disaster relief, which unfortunately afflicts the Philippines all too often because of its geographic location and the typhoons and other events that occur there. So all of those things combined have, I think, led to a real mutual interest in establishing this framework agreement and moving forward in restarting some of our military relationship but also adding to the Filipinos' capacity to build and improve their military structure.

Senator MCCAIN. Their military structure is extremely limited maritime-wise and surveillance-wise.

Ambassador GOLDBERG. That is true. And I think a part of the improvements that are being looked at—we have provided a couple of Coast Guard cutters recently that will add to the maritime security. We have a foreign military fund program and the IMET program. We have the joint special operations task force still active in training. So it is a program that will help them as they are improving their capacity in many areas. And as I mentioned, maritime security and domain awareness are very important parts of that relationship.

Senator MCCAIN. Thank you.

Ambassador Blake, since my Republican colleagues are not present, I think it is OK to mention your blood relative is also a Member of the United States Senate from—

Senator CARDIN. We have gone through that. It is on the record. So we are going to have a problem. [Laughter.]

Senator MCCAIN. I think we have a problem, Ambassador Blake.

Why is it, Ambassador Blake, you think that the largest Muslim country in the world—we do not have the same kind of problems with jihadism and extremism and acts of terror? I know that Bali was a disaster. I do not mean to diminish that. But here we have, again, the largest Muslim population in the world, and yet it seems to be progressing from the days of an absolute dictator to a fairly well functioning democracy with exception of there are still human rights problems. But how do you account for that?

Ambassador BLAKE. Thanks for that important question, Senator.

I would say a couple of things.

First, unlike some of the countries in the Middle East and even in the region that I currently work in, the government has really made an effort to develop responsive governance. There has been a real democratic transformation that is taking place there over the last 15 years. A very active civil society has developed. And I think very, very importantly, there has been a systematic effort to try to reduce poverty in Indonesia and sort of, if you will, address a lot of the unemployment and other issues that you find in, let us say, Cairo or in Tunisia or in some of these other places where I have served that have given rise to extremists.

There is also a tradition of tolerance and diversity in Indonesia that you do not find in other countries. So I think all of these have helped to, in a way, reduce the supply side.

But then there has also been a quite systematic effort on their part, since the terrible Bali bombings that took place in 2002, to professionalize their armed forces, to professionalize their security forces, their counterterrorism forces to go after the bad guys.

Senator MCCAIN. How much are we helping with that?

Ambassador BLAKE. We are helping a lot with that. Again, once we lifted sanctions in 2005, we have been able to expand our military-to-military cooperation.

But there is a lot of law enforcement cooperation that is going on as well to increase their police capacity, for example, and I think that has been helpful in, frankly, arresting or killing the leadership of many of the foreign terrorist organizations that operate. There are two U.S.-designated foreign terrorist organizations there, and they have had quite a lot of success in, again, arresting or otherwise getting rid of the leadership.

Senator MCCAIN. Well, I think you would have done a great job, Ambassador. [Laughter.]

Ambassador Hyatt, I happen to be one who has visited Palau. I am not sure how many of us have. And one of the more impactful places I visited is the island of Peleliu, a tiny island, where we lost several thousand marines over a very extended period of time in what was believed to be a very easy operation and turned out to be an incredible blood-letting in a very small place.

What are we doing in Palau to sort of encourage people to visit and to memorialize and to make sure that we do not forget the incredible sacrifice that was made? And does the Government of Palau appreciate that aspect of our relationship?

Ms. HYATT. Thank you, Senator.

Yes, I think there is some appreciation, but I think you are right to point out that there is more that could be done. We do have a shared history, and I think that it can be highlighted. And I think that that would not only contribute to better understanding of Palau and its role in our strategic history and our strategic interests. I also think it would contribute to Palau's economy by bringing people back to that location to highlight the history and our shared relationship. So I think there is great potential for doing what you suggest.

Senator MCCAIN. You know, in recent years, the Japanese have come back in a very significant effort to identify and memorialize the Japanese—thousands—I have forgotten now the number of how many thousand died, but none of them surrendered.

Well, I hope that we can not only symbolize the sacrifice made by both sides but a way to maybe memorialize that it really was a field not well chosen, to say the least.

Anyway, I look forward to visiting again. And I was surprised. There is a human trafficking problem?

Ms. HYATT. I think that there is a growing awareness of a problem. I think that there is a deep desire—

Senator MCCAIN. Within Palau itself?

Ms. HYATT. As a destination and also as a country that is providing. And I think there is not as much awareness about that end of it, but I believe that there is growing awareness of the problem and there is definitely a desire among the legal authorities to do something about it.

Senator MCCAIN. Are these people exported from Palau?

Ms. HYATT. I believe there are some, although that is a matter of dispute at this point.

Senator MCCAIN. Well, also I think you pointed out the enormous number of young men and women from Palau that are serving in the military is quite remarkable.

Ms. Stanton, finally I was struck by in your statement that half the population lives below the poverty line of 88 cents per day. I did not know that was their poverty line to start with. I thought it was a point of desperation. But what is the prospect? What are the prospects of improving that? I mean, I do not think you get democracy in half the population living below 88 cents a day.

Ms. STANTON. Thank you, Senator McCain.

Absolutely that is the biggest problem that Timor-Leste faces today. They have some resources, as I mentioned. They have some resources from oil. They really are most challenged by the lack of capacity to manage what resources they have, a very poor educational infrastructure, poor health, all of the challenges that come with that level of poverty.

Senator MCCAIN. And a rather tumultuous government situation.

Ms. STANTON. Well, they are working very hard on maintaining a democratic and well-managed government, but they just do not have enough capacity to do all the things they need to do.

Senator MCCAIN. Is it ripe for another revolt?

Ms. STANTON. We work very hard with our assistance and our assistance partners, and the government is working very hard to the best of their ability to meet the needs of their people, to develop alternatives and to develop opportunities, education, jobs, all of those things that are, of course, crucial to peace and stability, as you say. So that is the most important objective for them and for us, I think, in Timor-Leste.

Senator MCCAIN. Well, I think you have your work cut out for you, and thank you for your willingness to serve. I think it is incredibly challenging. I remember for a period of time there was a lot of publicity as we argued for their independence, and then I think it is possible we could have just spent our attention and effort elsewhere. Would you agree with that?

Ms. STANTON. You think it is possible that we could have spent our—

Senator MCCAIN. That we did.

Ms. STANTON. That we did?

We have been providing assistance and working with our partners. The Government of Australia is very active there. Indonesia has been supportive in the past 10 years, and there is a well coordinated effort in Timor-Leste to work with the government there. They seem to be a very admirable partner in this effort to sort of develop good governance, a good social order. They are very, very challenged and we certainly need to continue our efforts in supporting them.

Senator MCCAIN. And I wish you every success.

Thank you, Mr. Chairman.

Senator CARDIN. Thank you, Senator McCain.

I want to ask a couple more questions, but let me talk a little bit about the maritime security issue for one moment. We have a

very clear policy. We want the countries to resolve them peacefully through direct negotiations. We know this is a very difficult subject in the South China Sea. We know that both the Philippines and Indonesia are directly engaged. There are some episodes that are currently pending.

I would like to get a better sense as to how you see the United States or the international community or international organizations or regional organizations playing a role here. It is one thing to have a policy. It is another thing to promote a code of conduct. But at the end of the day, there has got to be some way to resolve these matters. It may be to share resources. It may be to deal with ways in which both sides could come out saving face. There are a lot of different ways of handling it. But when you have an open issue, it has to somehow be resolved.

So how do you see the United States playing a constructive role, and how would a code of conduct deal with these types of disputes? I welcome your thoughts on this.

Ambassador GOLDBERG. I can start. Thank you, Mr. Chairman.

The code of conduct is really rules of the road. They are not going to settle the underlying disputes and territorial disputes. But it still is very important.

We, I think, are engaged in two different ways in trying to help that code of conduct along, one of which is working with all the parties and diplomatically, bilaterally, multilaterally to encourage that as one of the solutions to at least de-conflict and to set out rules.

One other aspect of that—and when I mentioned multilateral—is that there are claims within the South China Sea that do not just affect one country and China. There are also competing claims. But what will be effective I think is if the countries of the region through ASEAN—and they are, I think, more and more convinced that this is the way forward so that there is a consensus there to bring the Chinese into the situation.

So I think the most important in terms of recent events is to prevent any idea that there is a kind of coercion taking place. We have a deep interest in the peaceful resolution, as you mentioned earlier, in a sea area that so much of the world's trade goes through. And so we are involved in the principles and in pushing the legal basis for this. We need to continue to do that diplomatically both bilaterally with the Chinese, with other countries in ASEAN, but also to encourage ASEAN through our multilateral engagement. As you know, Mr. Chairman, we have become much more engaged in the Asian diplomatic and security architecture as we rebalance to Asia—and that is part of the President's trip—so that they too take this on and come together because that is one of the ways that a code of conduct can be reached.

And, of course, there is also the Law of the Sea Convention, which is the mechanism that the Philippines has used to start an arbitral process, again not to settle underlying claims but to make sure that some of the activities that are taking place are dealt with.

Senator CARDIN. But is that not being challenged by the China?

Ambassador GOLDBERG. It is. It certainly is and that is why it is a diplomatic matter between all of us and why we are pushing

these kinds of solutions because the alternative, as you would I think conclude, is not one that we would encourage where confrontation and coercion takes that place.

Another effort I mentioned earlier is in building up capacity to do maritime security, maritime domain awareness to prevent accidents from happening. These are all kind of mutually reinforcing these efforts.

This is not a new issue, obviously. It is one that has gone on for some time. And in some ways we have to find ways to manage while we await the time when the underlying issues can be settled.

Ambassador BLAKE. Let me just build on what Ambassador Goldberg said, which is to just elaborate a little bit on the ASEAN piece of it, which is obviously that ASEAN we see as the central regional organization in Asia both for promoting regional integration but also regional security. And the President will be attending the ASEAN summit in a few weeks.

And I just want to note that Indonesia and particularly Foreign Minister Natalegawa has been very active in trying to promote an ASEAN dialogue with China on a code of conduct and to persuade China to engage on a regular basis and I think with some progress. I mean, obviously, there is still a long way to go. So I think Indonesia has been quite an important leader in these efforts.

Senator CARDIN. I guess my followup question to that is I think it is very important the President has been very actively engaged in the regional organizations, including ASEAN. The question will be how we can advance these causes in a constructive way. I think, Ambassador Goldberg, your point about it is going to take diplomatic skills, so I think our embassies can play a very constructive role. But it is challenging when you have a way of dealing with it and one country says no, we are not going to do it. It does really stretch our patience.

So this issue perhaps is the most concerning on the security front. It is critically important for commerce, and it could explode, even among our friends, causing problems, let alone countries that we have disagreements with. So we want you to give this the highest priority in trying to resolve.

On Palau, I have one more question, Ms. Hyatt, and that deals with resource management. Palau is known as having some of the richest fishing territories in the world. There is a concern of over-fishing. There is a concern of resource management. How do you see the United States playing a constructive role in dealing with those environmental issues?

Ms. HYATT. Thank you for that question, Mr. Chairman.

The environmental issues are very important to the Government of Palau and the people of Palau, as they are to the United States. They have been a good partner with us in terms of preserving their natural resources, and if confirmed, I would hope to assist them in those efforts. I think that their natural resources are one of their greatest assets in terms of promoting tourism and other economic opportunities within the country.

And I think issues related to fishing I know are becoming an issue that is more controversial. And I would look forward to working with the Government of Palau, if confirmed, on preserving fish-

ing rights for our fishing fleets and to ensure that U.S. fishing concerns are not detrimentally affected.

Senator CARDIN. Thank you for that.

I was not aware until Senator McCain mentioned the economics of Timor-Leste. It is hard to have a sustainable democracy with that type of economic circumstance. So I just want to underscore the point that Senator McCain made, and that is, Ms. Stanton, we look forward to your thoughts as to how the United States, how the Congress of the United States can assist in helping develop a stronger economic future for the people of Timor-Leste so that we can have a more stable ally and friend. We recognize economic development is one of the key points. We want respect for human rights because that is not only our values, but it is also important for a stable country. It is also true of economic progress. So we welcome your observations as to how we can advance the economic prosperity for the people in the country because it is right and because also we would have a more stable ally.

Ms. STANTON. Thank you, Senator Cardin. I would very much welcome the support of the committee in our efforts in Timor-Leste.

The President of Timor-Leste gave a speech this morning at the United Nations, and the one quote that I remember from looking through it very quickly this morning was he said that there is no peace without development and no development without peace. So they are inextricably intertwined and it is important to provide the assistance that we do provide to Timor-Leste and to continue that assistance. Our AID mission is very targeted toward economic development, good governance, all of those health issues, education, all of those sort of fundamental issues that support development and economic prosperity. So they really are not going to make progress without this support and I very much welcome the committee's support and will look forward to working further on that, should I be confirmed. Thank you.

Senator CARDIN. For each of you, I would ask on behalf of the committee that if requests are made for information or cooperation from this committee or any member of this committee or, for that matter, any Member of the United States Senate or any of our committees, that you will promptly respond to those requests. For the record, I see all four of you nodding your head in the affirmative. We will take that as a yes.

The committee record will remain open for 24 hours. So you may be receiving questions from members of the committee. We would ask that you get those answers back as quickly as possible because in at least one case, we are going to try to make sure you are there for the President's visit. We would like to be able to move these nominations through the process as quickly as we can. So your cooperation in responding to the specific information that may be asked by members of the committee in regards to the confirmation hearings will be deeply appreciated.

I have one more question for you, Mr. Blake, that was on the tip of my tongue, and that is the environmental conservation one in regards to the goals of the United States-Indonesia relationship and how do you assess the effectiveness of U.S. assistance in the environmental realm? In what areas do you feel Indonesia needs the most help?

Ambassador BLAKE. Well, that is a very, very important question.

I would say the most important priority right now is helping Indonesia to address its greenhouse gas emissions. Indonesia is the fifth-largest emitter of such gases in the world because of the very extensive forest and peatland destruction that has occurred over the last four decades. So it is very important task now to help this important partner to reverse that trend.

We have a number of different programs that are underway now, first through the Millennium Challenge Corporation program that I mentioned. Almost half of that \$600 million is for the so-called Green Prosperity program, which is primarily targeting low carbon development and helping both sustainable forest management but also to help the country to develop more clean energy and renewable energy.

We are also working through the Forest Service and through USAID. We have several debt-for-nature swaps under the Forest Conservation Act.

We are also doing a number of other things through USAID, again to help promote better management of these forests. We have a huge program to help support the management of literally millions of hectares of tropical forest and peatland to again make sure that there are sustainable forest practices and that there is reforestation projects that will help to address this critical program.

So this is going to be one of my very highest priorities as Ambassador, if confirmed.

Senator CARDIN. Well, thank you for that. I can assure that if there is a CODEL Whitehouse, that that Senator will be questioning you very deeply on this issue.

Ambassador BLAKE. Yes.

Senator CARDIN. Senator Whitehouse has taken a very strong interest on these issues.

And it does present a challenge on the deforestation and on the other management issues as it relates to greenhouse gas missions and environmental management. And the Obama administration is taking a strong leadership not just in the United States but internationally. Indonesia is a country of challenge. A lot of it is understandable but it is one in which we want to have a workable strategy to help in regards to our global efforts to deal with these issues. So we welcome your observations and thoughts as we move forward on that.

Ambassador BLAKE. Thank you.

Senator CARDIN. And with that, let me thank again our nominees and their families. Mr. Blake, your children were very patient throughout this process. I do not know whether grandchildren, which are about the same age, would have survived. But anyway, thank you all very much.

And with that, the committee will stand adjourned.

[Whereupon, at 3:55 p.m., the hearing was adjourned.]

**NOMINATIONS OF ROSE GOTTEMOELLER,
FRANK ROSE, AND ADAM SCHEINMAN**

THURSDAY, SEPTEMBER 26, 2013

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

Hon. Rose Eilene Gottemoeller, of Virginia, to be Under Secretary
of State for Arms Control and International Security
Frank A. Rose, of Massachusetts, to be Assistant Secretary of State
for Verification and Compliance
Adam M. Scheinman, of Virginia, to be Special Representative of
the President for Nuclear Nonproliferation, with the Rank of
Ambassador

The committee met, pursuant to notice, at 10:08 a.m., in room
SD-419, Dirksen Senate Office Building, Hon. Robert Menendez
(chairman of the committee) presiding.

Present: Senators Menendez, Shaheen, Murphy, Kaine, Markey,
Corker, Rubio, and Barrasso.

**OPENING STATEMENT OF HON. ROBERT MENENDEZ,
U.S. SENATOR FROM NEW JERSEY**

The CHAIRMAN. This hearing of the Senate Foreign Relations
Committee will come to order.

We are pleased to have three distinguished nominees before the
committee. But, before I make an opening statement and turn to
the ranking member, I know that Senator Isakson and Shaheen
are here to introduce Rose Gottemoeller, and I know how complex
our schedules are, so let me ask them to make those introductions,
and then we will move to our opening remarks and introduce our
nominees.

Senator Isakson.

**STATEMENT OF HON. JOHNNY ISAKSON,
U.S. SENATOR FROM GEORGIA**

Senator ISAKSON. Well, thank you very much, Mr. Chairman.

The CHAIRMAN. And we welcome you back to the committee—
where you served so admirably—maybe we can get you back here
someday.

Senator ISAKSON. As a refugee, I would be happy to come back
at anytime, so—

[Laughter.]

Senator ISAKSON [continuing]. Maybe we can negotiate that, one of these days.

It is an honor to be back with you and Ranking Member Corker. And I remember, fondly, my days on the committee, which, in fact, are, in part, why I am here today to introduce Rose Gottemoeller, because I got to know her during the negotiations on the New START Treaty, and I depended on her very heavily for feedback, information, guidance, and tough questions. And I found her to be a tough lady. I found her to be a knowledgeable lady. I have found her to be an effective lady. And she guided me through a process where I needed that kind of help to make the final decision I did on START.

And the reason I am here to introduce her today is, we have issues confronting us, as a country, given proliferation of weapons, not just nuclear weapons, but sarin gas and things of that nature, where we need the best minds in the United States of America to guide our country. In the position she will have, she will be the advisor to the Secretary of State on proliferation issues, and, as you know, we are, right now, dealing with the problem with sarin gas in the Middle East and the Syrian question. No better person to have than Rose Gottemoeller.

I remember, when I went through the due diligence I went through on the START Treaty, two things bothered me. One was being able to verify and count so we could do what Ronald Reagan intended when START began its negotiation: trust, but verify. It was her work with me on understanding the unique verification system of the New START Treaty, which is now bearing fruit, that I became comfortable with the fact that we could actually validate what was in Russia and what the Russian Federation had, and we could count without having a redundancy in our count.

Second, I needed to know that our nuclear arsenals and our laboratories would be modernized. I worked closely with Senator Corker, who worked hard and is still working hard, on the modernization issue. And I appreciated her commitment to the modernization of our nuclear arsenal, as well.

Now, you might think it is odd for a Georgian to introduce a Buckeye, but that is not really that odd, because one of her two children, Dan, went to Emory University in Atlanta, and that is our tie, beside my great respect for her as a representative of the United States of America. She and her husband, Dan, have been married for—Ray, not Dan—have been married for a number of years. He is a career servant of the United States of America. They have two sons and are great contributors to our country.

It is an honor and privilege for me to introduce to you someone who I would trust with the unique and very difficult and challenging things that face us, in terms of verification of weapons of proliferation. And, as a Senator from the State that houses part of the Savannah River facility where all of the spent nuclear fuel is reprocessed in the H Canyon, I know firsthand the danger of nuclear material, the need to make sure that it is—we keep up with it, the need to make sure that it does not get in the wrong hands.

And I trust and verify that Rose Gottemoeller is exactly the right person the United States of America needs at this time to go from

acting to permanent in her current position. And I recommend her to the committee with my highest recommendation.

The CHAIRMAN. Thank you very much. I think you should be more explicit about how you feel, but—

[Laughter.]

The CHAIRMAN [continuing]. That is one great recommendation.

Senator Shaheen, who is a member of our committee, and we are pleased to have her making an introduction, as well today.

**STATEMENT OF HON. JEANNE SHAHEEN,
U.S. SENATOR FROM NEW HAMPSHIRE**

Senator SHAHEEN. Well, thank you, Mr. Chairman.

I am really honored to be here this morning to join Senator Isakson—and, as you point out, we really miss him on this committee, so we hope you will come back—but, to be here to introduce Rose Gottemoeller, who is the nominee to be Under Secretary of State for Arms Control and International Security.

And I first had the pleasure of meeting Rose back in March 2009, when I had just arrived in the Senate and got the opportunity to chair her nomination hearing as Assistant Secretary of State for Arms Control, Verification, and Compliance. And, at the time, the Senator who introduced her was Dick Lugar. And so, for me to be able to have this opportunity to join Senator Isakson and to do the introduction for this nomination in place of Dick Lugar is truly an honor, and I very much appreciate your asking me to do this, Rose.

As Senator Isakson said, even though I was new to the Senate, I was so impressed with the work that she did as the negotiator on the New START Treaty. She became the first woman in our history to negotiate this kind of a treaty. And, throughout all of those talks—again, as Senator Isakson said—she was skilled, she was patient, but she also went out of her way to engage with us in the Senate as we were thinking about ratification for that treaty and all of the challenges. And she was always there, she was always willing to provide the information in a very bipartisan way.

And, though that treaty is one of her most public efforts, Rose has led a lifetime of dedicated and nonpartisan service to the country, often with little or no fanfare. She was one of the leaders of the effort to eliminate the nuclear stockpiles throughout the former Soviet Union, including Ukraine, Belarus, and Kazakhstan, and, early on in her career, she worked on a secret effort to prevent highly enriched uranium from getting into Iran, in the 1990s, something I know we are all still very concerned about. And one of the things I found out about her this week is that she worked the Moscow-Washington Hotline, back in the late 1970s, so clearly she is ready for anything, and has worked extensively on WMD security issues throughout our government.

You know, it is those big nuclear deals and the work on New START that has gotten so much of the press, but I can attest, on a personal level, that, not only is she interested in that, but that she is interested in the economic issues facing the country and the challenges that our young people face. I persuaded her to come up to New Hampshire to meet with businesses about some of their export issues, and she talked extensively with them about export controls in our system, and how we can reform it. But, she also went

with me to the YWCA in Manchester to meet with some of our young women and talk to them about how to get them involved in the STEM subjects and the opportunity that exists for young women. And you could see her ability to work with everyone, in that brief trip to New Hampshire.

So, she has really spent her lifetime making Americans safer. Rose is a patriot. She is one of the most qualified candidates ever to be nominated for this position. And I am proud to support her in this effort. I hope the committee will move forward with full speed to confirm her and to get her nomination to the floor.

And thank you, Mr. Chairman, for the opportunity. And thank you, to Rose, for giving me this opportunity today.

The CHAIRMAN. Well, thank you both for your introductions and very strong support. And I know that you have busy schedules, so you are welcome to stay, but if you have to leave, I understand that you will need to do so. So, at any time, feel free to depart.

And let me say, as a preface to my remarks, that I appreciate the work of Senator Corker, the ranking member on this committee, on these issues. He has vigorously pursued them, was willing to use—because he believed it was right—his own personal political capital, in terms of the ratification of the treaty, and made very significant impacts on what that looked like. And so, I appreciate his work.

Let me thank you all very much for joining us today. We have three experienced nonproliferation officials nominated for key international security posts. Each of these nominees, in my opinion, is a qualified professional more than capable to assume their new role. Should they be confirmed, they will be in the vanguard of America's diplomatic negotiations on nonproliferation and compliance issues, and we welcome them to the committee.

We have heard, already, about our nominee to be Under Secretary of State for Arms Control and International Security, Rose Gottemoeller; Frank Rose, to be the Assistant Secretary of State for Arms Control, Verification, and Compliance; and Adam Scheinman, to be the Special Representative of the President for Nuclear Nonproliferation, with the rank of Ambassador.

Each has a full and clear background in nonproliferation compliance and verification. Each is fully aware of the new threats that we face, the state and nonstate actors who represent those threats, and the importance and impact of every decision they will make.

They will be facing both ongoing and new issues when it comes to negotiations with Russia, chemical weapons in Syria, the threat of proliferation of nuclear weapons in North Korea and Iran. These nominees will be implementing and verifying the New START Treaty, which provides transparency and stability in our strategic relations with Russia.

They will also be exploring the potential for further reductions in U.S. and Russia nuclear forces. We know further reductions are possible, because a comprehensive review of our nuclear posture has determined that we can ensure the security of America and our allies and maintain a strong and credible strategic nuclear deterrent while reducing our forces. Clearly, the obvious question, which I would like to hear in our panelists' answers, is, to what extent

do the Russians also support further negotiations and continued verifiable reductions?

In Syria, we are facing the issue of ridding the regime of its chemical weapons arsenal and the details of the proposed framework for the elimination of those weapons; the verification of Syria's compliance with provisions to destroy chemical weapons production, mixing and filling equipment by November; and the verifiable and enforceable destruction of all of Syria's arsenal by the middle of 2014. And I am curious to hear about the challenges we face in implementing this framework, should it ultimately move forward, and what role each of you may play in carrying out its provisions.

Finally, in Iran, our policy is clear: We will not allow the development of nuclear weapons capability. As the President noted in his speech at the United Nations, the election of President Rouhani has opened up the possibility of a diplomatic approach to resolving these issues surrounding Iran's nuclear program. But, despite the positive words coming out of Tehran—they sounded better to me when they were coming out of Tehran than what I heard in New York the other day—but, regardless of those words, Iran has continued to add capabilities to its nuclear program, including 2,000 centrifuges, with 300 of these more advanced second-generation ones.

So, while I support constructive engagement with Iran, our policies must be based upon Iranian actions, not merely words. That is why I want to hear from our panelists how our sanctions policies, which helped bring Iran to the negotiating table, can be further strengthened in response to Iran's continuing march toward nuclear capability.

I am also looking forward to hearing what requirements our panelists see as necessary for concluding an agreement with Iran. And, at a minimum, should not we expect Iran to suspend its enrichment, as required by the United Nations Security Council resolutions, close the Fordow plant, reveal the location of all nuclear facilities, and allow international inspectors in Iran in order to verify that these facilities can only be used for peaceful purposes?

In terms of North Korea, the United States has stated we will not accept North Korea as a nuclear weapons state which would potentially unleash an arms race in the region and threaten our security and the security of our allies. I would like to hear from each of you what you believe we can do to move in that direction to ensure that the North Koreans return to the table, and what we must do to ensure that the North is not sharing information and becoming a dangerous source of proliferation and nuclear weapons technology.

So, there are many challenges clearly before us, and I think those challenges make a compelling case that we need qualified people sitting in the key positions to help us meet those challenges. I know that there are differences on the committee when it comes to these issues and how we treat them, and, for some, these nominees. I know that there are deeply held positions on both sides of the aisle as to their record and views.

But, regardless of our differences, I believe there are a number of things we can all agree upon. We can all agree that we face a

new and more complex set of proliferation threats, the threat of terrorists getting their hands on and then using nuclear, chemical, or biological weapons; the danger of regional armed nuclear adversaries, like North Korea and Iran, using their nuclear capabilities to blackmail our partners and allies.

In response to these threats, I think we can all agree that we need a more modern and flexible nuclear enterprise and updated policies that can respond to these new threats as well as the old threats we face.

What I would say to members of the committee is that, at the end of the day, we may disagree on verification and compliance procedures, but we cannot disagree on the significance of the threats we face and the need to have a team in place that is tasked with representing our security interests at the highest level.

So, I appreciate many of the members' engagement. I want to turn to the distinguished ranking member for his comments, and then I will introduce our other two nominees and we will move forward.

**STATEMENT OF HON. BOB CORKER,
U.S. SENATOR FROM TENNESSEE**

Senator CORKER. Thank you, Mr. Chairman. And I will be brief. I think you have given a very extensive introduction.

And I want to thank you for the comments you made about New START. As a matter of fact, I would say, to the whole committee, the Foreign Relations Committee has been a place where we have checked partisanship at our shore's line. And if you look at the many issues that have been before us this year, in every case each issue has been dealt with in a bipartisan way. And I think that speaks volumes about your leadership, and I want to thank you for that. And I hope we will continue, and I think we will, moving through these issues in a way that seeks common ground and seeks to, again, always put our country's national interests first. And I am really proud of this committee. And I know we have had some tough, tough votes. I stand by those votes, and I am proud that we have done the work we have done. But, thank you for your leadership in getting us there.

And, with that, to our nominees—I agree, I think we have some very qualified nominees. And I know that Rose was in yesterday, in a classified briefing, to talk about some things that are of utmost importance to our country. And, like Johnny Isakson in—with his wonderful opening comments, I got to know—I apologize, I will call you “Rose”—during the process of New START, and I have been disappointed, in fairness, with some of the modernization efforts that have taken place since, which were a part of our ratification. On the other hand, I do appreciate, that it looks like things are stepping back up, and I appreciate your efforts, and others, in making that happen. And I just hope Congress will support those efforts. I think it is very important to our national security that we continue to have the ability, should breakouts occur down the road, to deal with things in an appropriate way. And I thank you, again, for pushing those.

I also have been concerned recently about comments regarding new agreements with Russia, and was able to get a letter from the

State Department stating that we would not agree to additional reductions with Russia without going through the treaty process, which I think is very important. And I thank you for, first, verbalizing that, but also then causing the Secretary of State to follow up in writing. And I do hope that, obviously, any reductions with anyone, any agreement, is done solely through a treaty.

And then, last, especially getting to some of the things we have discussed most recently, there needs to be real consequences for people who violate treaties. And we have that to deal with on a range of issues.

So, look, I will not belabor the points. I think our chairman, again, went through the points in a very articulate manner, and I thank you for that.

And I look for your testimony, and I look forward to the questions.

Thank you very much.

The CHAIRMAN. Thank you, Senator Corker.

Let me also present to the committee Frank Rose, who is nominated for the Assistant Secretary of State for Verification and Compliance. He began his career, as I understand it, as one of the most promising young legislative correspondents in Senator Kerry's office. And that promise has clearly been realized. He is currently Deputy Assistant Secretary of State for Space and Defense Policy, working on arms control, defense policy, missile defense, military space policy, and conventional arms control. He has held national security staff positions in the House of Representatives on the House Armed Services Committee and the Permanent Select Committee on Intelligence.

And so, we thank you for your service and look forward to your hearing today.

Mr. Scheinman, who has been nominated as Special Representative for the President for Nuclear Nonproliferation, is a senior advisor for nuclear nonproliferation in the Bureau of International Security and Nonproliferation at the State Department, and he has served on the White House national security staff and has held many positions in government relating to arms control, international security, and nonproliferation.

And we thank you, as well.

With that, Ms. Gottemoeller, we will start with you. Your full statements will be included in the record. We ask you to synthesize it in about 5 minutes or so, so we can get into a Q&A session.

And the floor is yours.

STATEMENT OF HON. ROSE EILENE GOTTEMOELLER, OF VIRGINIA, TO BE UNDER SECRETARY OF STATE FOR ARMS CONTROL AND INTERNATIONAL SECURITY

Ms. GOTTEMOELLER. Thank you, Mr. Chairman. And I will do so. I have excerpted my statement.

And thank you, to you, Mr. Chairman, to Senator Corker, Senator Shaheen, for your very kind introduction. I am grateful to both you and Senator Isakson. And I wanted to thank Senator Kaine for coming this morning, too. My current hometown is Falls Church, VA, so I am delighted, sir, that you were able to make it this morning.

You know, when I was driving in this morning, I heard that today, in history, Thomas Jefferson was confirmed by the Senate to be our first Secretary of State. Now, I am no Thomas Jefferson, I do realize that. But, I do consider it an auspicious date to appear before this committee, and thank you all for the opportunity to testify.

Indeed, it would be a great honor for me to come before this committee today and be considered for the position of Under Secretary of State for Arms Control and International Security. I want to thank my husband of almost 34 years, Ray Arnaudo, and my sons, Dan and Paul, for their unwavering support. I am grateful for the confidence that President Obama and Secretary Kerry have shown in nominating me for this position, and I am mindful of the significant and serious responsibilities that I will undertake on behalf of our country, should I be confirmed by the Senate.

Mr. Chairman, Senator Corker, I am remiss if I do not mention, also, that I am joined by my brother, Fred Gottemoeller, and his wife, Patricia, who came down this morning from Columbia to join us. So, it is great to have them there, as well as supporters throughout the room.

For the past 4 years, I have served as the Assistant Secretary of State for Arms Control, Verification, and Compliance. As part of my duties, I had the privilege of serving as the leading negotiator for the New START Treaty. That agreement has been in force for almost 3 years, and its implementation is going very well. I want to thank the members of this committee for their leadership and deep involvement, as well as advice, throughout the New START negotiation and ratification process.

The Senate plays a critical role in policymaking on national security and strategic stability issues, and I think that our experience with New START reinvigorated national interest in these critical issues, so I am grateful to this committee for helping to generate that process. I know that we might not always agree on specific steps, but I know that we all prioritize the security of our country and our fellow citizens and allies.

I also welcome the relaunch of the National Security Working Group, under the chairmanship of Senator Feinstein and Senator Rubio. If I am confirmed for this position, I will plan to continue to work closely with that group.

All the challenges we have faced together over the past 4 years leave me with no doubt that the team in AVC will continue to contribute to a safer, more secure nation. I am especially pleased that President Obama nominated Deputy Assistant Secretary of State Frank Rose to succeed me as the Assistant Secretary in AVC. I have worked with Frank over the past 4 years, and I have every confidence that, if confirmed, he will be an excellent Assistant Secretary and will continue AVC's focus on improving and enhancing verification and compliance mechanisms.

Since February 2012, I have also been serving as the Acting Under Secretary for Arms Control and International Security. I had the privilege to follow Ellen Tauscher, who is a remarkable and dynamic leader. In this position, I have responsibility for the T family of bureaus—AVC, the International Security and Non-proliferation Bureau, known as ISN, and the Political Military Af-

fairs Bureau, known as PM. The issues that are handled by the T bureaus are cross-cutting and affect people around the world. And the chairman already mentioned the profound interest and focus, these days, on what is going on in Syria, North Korea, and Iran. This preoccupies us every day.

For that reason, we are covering a lot of ground, figuratively and literally. The work we do in T informs, augments, and helps to implement U.S. security policies. I am proud to say that, when it comes to keeping America safe, the people working in the T Bureaus make a remarkable contribution and, I would hazard to say, a unique contribution.

Mr. Chairman, Senator Corker, members of the committee, I am under no illusions about the enormous challenges we face on arms control, nonproliferation, and political/military affairs, but I do think that the United States and the T-family bureaus are prepared to meet these challenges. With your support, I would be proud to serve as the Under Secretary of State for Arms Control and International Security.

Chairman Menendez, Senator Corker, in closing, I would like to note that I have been privileged to observe and work with some of the most skilled arms control and international security leaders in modern American history. These include my first boss at the RAND Corporation, Col. Thomas Wolfe; Ambassador Linton Brooks; Senator Howard Baker; Senator Sam Nunn; Senator Richard Lugar, on this committee; Secretary Moniz; Secretary Hillary Clinton; and my current boss and your former colleague, Secretary John Kerry. I have been able to learn from the best. And, if I am confirmed, I will continue to follow the example of these fine Americans, and I pledge to work closely with this committee throughout.

Thank you very much.

[The prepared statement of Ms. Gottemoeller follows:]

PREPARED STATEMENT OF ROSE E. GOTTEMOELLER

Thank you, Chairman Menendez, Senator Corker, and members of the committee. Thank you also to Senator Shaheen and Senator Isakson for your introductions. I am honored by your kind words of support.

Indeed, it is a great honor for me to come before this committee today and be considered for the position of Under Secretary of State for Arms Control and International Security. I want to thank my husband, Ray Arnaudo, and my sons, Dan and Paul, for their unwavering support. I am grateful for the confidence that President Obama and Secretary Kerry have shown in nominating me for this position and I am mindful of the significant and serious responsibilities that I will undertake on behalf of our country should I be confirmed by the Senate.

For the past 4 years, I have served as the Assistant Secretary of State for Arms Control, Verification and Compliance (AVC). As part of my duties, I had the privilege of serving as the lead negotiator for the New START Treaty. That agreement has been in force for over 3 years and its implementation is going very well. I want to thank the members of this committee for their advice, leadership, and deep involvement throughout the New START negotiation and the ratification process. The Senate plays a critical role in policymaking on issues of strategic stability, and I think that our experience with New START reinvigorated national interest in these critical issues. I know that we might not always agree on specific steps, but I know that we all prioritize the security of our country and our fellow citizens and allies. I also welcome the relaunch of the National Security Working Group under the leadership of Senator Feinstein and Senator Rubio. If confirmed, I would plan to work closely with this esteemed group.

As I mentioned, New START's implementation is going very well. Its robust verification system is providing the predictability and mutual confidence that both sides are living up to their commitments. I am very proud of the overall work that

AVC has done on verification. For over many years, the staff in AVC has advanced U.S. national security by promoting verifiable agreements and verification technologies, and by working to ensure compliance by other countries with respect to their arms control, nonproliferation, and disarmament agreements and commitments. I take President Reagan's mantra of "trust, but verify" to heart and have been steadfast in my pursuit of new technologies to aid in verification and monitoring. In fact, the mission of the Bureau is focused on ensuring that effective verification is a vital part of the negotiation and implementation of arms control agreements.

Under my direction, AVC took steps to encourage private sector entrepreneurs and experts to develop ideas on the application of new information and technologies to verification and monitoring. I have been lecturing on this issue extensively at universities and nongovernmental organizations around the world. I think it is imperative that the next generation of Weapons of Mass Destruction (WMD) experts understands our current verification and monitoring needs and applies creativity and innovation to solving our future needs in these areas. If confirmed, I would continue to push for new thinking and increased budgets for verification and monitoring efforts and funding for R&D technology in this area.

All the challenges we have faced together over the past 4 years leave me with no doubt that the team in AVC will continue to contribute to a safer, more secure nation. I am especially pleased that President Obama nominated Deputy Assistant Secretary Frank Rose to succeed me as the Assistant Secretary in AVC. I have worked with Frank over the past 4 years and have every confidence that, if confirmed, he will be an excellent Assistant Secretary and will continue AVC's focus on improving and enhancing verification and compliance mechanisms.

Since February 2012, I also have been serving as the Acting Under Secretary for Arms Control and International Security. I had the privilege to follow Ellen Tauscher—a remarkable, dynamic leader. In this position, I have responsibility for the T family of three Bureaus—AVC, International Security and Nonproliferation (ISN), and Political-Military Affairs (PM). The issues handled by the T bureaus are cross-cutting and affect people around the world. For that reason, we cover a lot of ground, both literally and figuratively. The work we do in T informs, augments, and helps implement U.S. security policies. I am proud to say that when it comes to keeping America safe, the people working in T make a remarkable contribution.

It is no secret that I came into this position as a "nuke person." While arms control and nonproliferation are familiar territory for me, I was somewhat new to the issues covered by the Political-Military Affairs Bureau, which is a major part of the Under Secretary's portfolio.

As the principal link between the Departments of State and Defense, PM is the linchpin in State-DOD relations, increasing and institutionalizing collaboration in implementing our security agenda with partners worldwide. Over the past year and a half, as I have traveled to many partner countries to discuss political-military issues, it has become clear to me that many of PM's issues are linked to our arms control and nonproliferation goals.

If confirmed, I plan to continue championing the work of this Bureau, as well as the work of AVC and ISN. I believe that the experience I have gained throughout my career makes me well suited to advance the work of these three distinct and important Bureaus.

Looking ahead, I know that the T family of Bureaus is facing an agenda that is challenging and diverse. These Bureaus will continue to work on reducing the dangers posed by nuclear, chemical, biological, and conventional weapons—through arms control or nonproliferation measures; improving export controls and opportunities for U.S. defense trade; countering piracy; clearing unexploded landmines and munitions; and strengthening U.S. defense and security relationships with friends and allies.

A top priority, if confirmed, will be the sound coordination of the State Department's efforts to ensure the Syrian regime can never again use chemical weapons against its own people. Experts in the T bureaus are working hard to coordinate the diplomatic, technical, and public and congressional outreach activities related to implementing the agreement to inventory, secure, and destroy Syrian chemical weapons. We face a difficult road with difficult players, but we must push forward and we must remain vigilant. As Secretary Kerry said last week, "The complete removal of Syria's chemical weapons is possible here, through peaceful means. And that will be determined by the resolve of the United Nations to follow through on the agreement that Russia and the United States reached in Geneva, an agreement that clearly said this must be enforceable, it must be done as soon as possible, it must be real."

One thing we do have going in our favor is our experience with helping to eliminate Libya's chemical weapons program. The experts in T played a direct role in that process and are now applying the lessons learned to Syria.

Other priorities include advancing strategic stability with the Russian Federation. Over the past few years, we have achieved significant results from our work with the Russians. These include Russian support of U.N. Security Council resolutions that created the toughest sanctions ever on North Korea and Iran, our work together on the New START Treaty, bringing into force the agreement to dispose of excess weapons plutonium, concluding a successor arrangement to continue our bilateral threat reduction cooperation, and our work to open up and sustain the Northern Distribution Network to get critical supplies to troops in Afghanistan—which by the way, has been achieved through PM-led diplomacy.

That said, we are dealing with some serious issues and challenges with the relationship—this applies to strategic issues, Syria and beyond. We will continue to engage the Russians to try to find common ground, and when needed, to speak out forcefully on our concerns. We will only move ahead on cooperative arrangements when it is in our national security interest to do so.

The President announced in Berlin that we would pursue reductions of deployed strategic nuclear weapons. This decision flowed from the administration's extensive analysis of the current strategic environment and deterrence requirements. That analysis confirmed that the United States can ensure its security and that of our allies, and maintain a strong and credible strategic deterrent, while reducing our deployed strategic nuclear weapons by up to one-third below the level established by the New START Treaty. The President said on that occasion, "I intend to seek negotiated cuts with Russia to move beyond cold war postures." Toward that end, we will pursue a treaty with the Russian Federation.

We agree with the Senate regarding the importance of addressing the disparity between U.S. and Russian nonstrategic nuclear weapons, and will work with our NATO allies to seek bold reductions in U.S. and Russian NSNW in Europe.

If confirmed, I will play a role in these efforts and I can assure you that the administration and I are committed to consulting with the Congress and our allies as we move forward with the nuclear arms reduction process. When considering possible reductions, the United States will only enter into treaties and agreements that are in our national security interest.

As we pursue reductions, I will do my part to support the nuclear modernization budget. I have excellent working relationships with my former colleagues, Secretary Ernest Moniz, Deputy Secretary Dan Poneman, and Frank Klotz, the nominee for National Nuclear Security Administration (NNSA) Administrator, along with many other colleagues at the Department of Energy.

If confirmed, I will continue to support ISN's efforts to prevent the illicit spread of arms, including weapons of mass destruction and their delivery systems. ISN plays a key role in the U.S. Government's efforts to address the nuclear programs of Iran and North Korea—one of the top priorities for this administration and for me. The diplomatic full-court press from the State Department has contributed to the unprecedented international consensus on maintaining sanctions and other pressure on both states. We must continue to push.

Part of what makes us effective is our partnership with the Department of Defense, led by the PM Bureau. This partnership is important to our security cooperation around the world, which is fundamentally a foreign policy act. Our work in this regard enables us to expand security cooperation with our allies and partners, is critical to America's national security and economic prosperity. It is also an important part of the State Department's economic statecraft efforts.

A related priority for me, if confirmed, is to continue my work to advance export control reform, which includes revising the U.S. Munitions List (USML). Updating the USML, a major effort by PM, working with the Departments of Defense and Commerce, is a key part of our export control reform effort. The USML review will improve U.S. national security by permitting us to focus on, and thus more stringently protect, our most sensitive goods and technologies, while for less sensitive items, implementing export requirements that are thorough, but not unduly burdensome to U.S. exporters and facilitate interoperability with our allies.

Of course, I have barely scratched the surface of what the "T family" does each and every day in order to build a strong, balanced approach to foreign policy and U.S. security. If confirmed, I will have the responsibility for a range of additional policy areas. I welcome the opportunity to talk with you about our goals for a fissile material cutoff treaty, the Comprehensive Nuclear Test-Ban Treaty, cooperative threat reduction, engaging China, arms sales, conventional arms control, missile defense cooperation, and any other issue you might wish to discuss. All of these issues will require the deep involvement and expertise of this committee and others

in Congress. If confirmed, I look forward to continuing to consult closely with the members of this committee on all these issues.

I am under no illusions about the enormous challenges we face on the arms control, nonproliferation, and political-military fronts, but I do think that the United States and the T family bureaus are prepared to meet these challenges. With your support, I would be proud to help lead the effort as the Under Secretary of State for Arms Control and International Security.

Chairman Menendez, Senator Corker, in closing, I would like to note that I have been privileged to observe and work with some of the most skilled arms control and international security leaders in modern American history. They have influenced my path and shaped my policy views. Working with leaders such as my first boss at the RAND Corporation, Colonel Thomas W. Wolfe; Ambassador Linton Brooks; Senator Howard Baker; Senator Sam Nunn; Senator Richard Lugar, on this committee; Secretary Moniz; Secretary Hillary Clinton; and my current boss and your former colleague, Secretary John Kerry; I have been able to learn from the best. If confirmed, I will certainly continue to follow the example of these fine Americans. I want to again thank the committee and its leaders for the attention and interest demonstrated during the New START ratification process. It was a testament to your dedication to American national security.

The CHAIRMAN. Thank you.
Mr. Rose.

STATEMENT OF FRANK A. ROSE, OF MASSACHUSETTS, TO BE ASSISTANT SECRETARY OF STATE FOR VERIFICATION AND COMPLIANCE

Mr. ROSE. Good morning, Mr. Chairman, Ranking Member Corker, and members of the committee. It is, indeed, a great honor to come before the Senate Foreign Relations Committee as President Obama's nominee to be the next Assistant Secretary of State for Arms Control, Verification, and Compliance.

I would like to thank President Obama and Secretary Kerry for the confidence they have shown in me by nominating me for this position.

I would also like to acknowledge my mother, Athalyn, who is here in the front row, and my sister, Nikko, who is behind her, who are here today to provide moral support. We have certainly come a long way since I was a teenager, when we were watching CNN together. [Laughter.]

Finally, let me acknowledge my colleagues on the panel, especially Rose Gottemoeller, with whom I have worked closely for the past 4 years and whom I will succeed as Assistant Secretary, if confirmed by the Senate.

The Arms Control, Verification, and Compliance Bureau was established by Congress in Public Law 106-113. This important law lays out the fundamental purpose for the ABC Bureau and establishes the Assistant Secretary as having the lead within the Department of State on, "all matters related to verification, compliance with international arms control, nonproliferation, and disarmament agreements and commitments." So, let me commit to you today that, if confirmed as Assistant Secretary, I will focus on effectively conducting rigorous compliance assessments and ensure that countries are accountable for their arms control, nonproliferation, and disarmament commitments.

The ABC Bureau is required by statute to produce several reports on compliance of countries with their arms control, nonproliferation, and disarmament agreements. The largest and most important of these reports is the Annual Report on Adherence To

and Compliance With Arms Control, Nonproliferation, and Disarmament Agreements and Commitments, which we refer to as the Compliance Report. For the last 4 years, in my current job as Deputy Assistant Secretary of State, I have been the Bureau official responsible for overseeing the annual Compliance Report. This is an incredibly important report, which the Obama administration takes very seriously. The compliance assessments in this report undergo a rigorous review to ensure the findings are factually based and have the concurrence of key U.S. Government departments and agencies, including the intelligence community.

Despite this massive undertaking, I am proud to say that the Obama administration has transmitted the Compliance Report to Congress every year for the past 4 years. I will admit, however, it has been a challenge to meet the report's April 15 deadline. Should I be confirmed as Assistant Secretary, I want to commit to you that I will look at ways of developing a more efficient process so we can get this important report to Congress in a more timely manner. As always, if confirmed, I would be prepared to discuss compliance issues with you at any time.

The Bureau has also been given responsibility for the development of new arms control agreements as part of the 2010 restructuring contained in the Quadrennial Diplomacy and Development Review. This restructuring has enhanced the Department's ability to utilize traditional arms control tools to address the growing challenge of weapons of mass destruction. By combining arms control, verification, and compliance in a single bureau under one Assistant Secretary, the Department has ensured that verification and compliance regimes are built into arms control agreements from their inception, and that compliance with all such agreements are diligently verified. In practice, this means the Bureau's experts, with their decades of verification and compliance experience, are, in many cases, the ones drafting the new agreements.

The New START Treaty is an excellent example of this approach. During the negotiations, ABC was able to use the decades of experience of arms control inspectors in order to craft a robust verification regime for the New START Treaty.

Mr. Chairman, these critical national security issues underscore the important responsibility that I will be undertaking, should the Senate decide to confirm me. It is an important responsibility I cannot achieve alone. One of my primary goals, should I be confirmed in this position, is to ensure that ABC retains and expands the expertise that is essential for this important mission, while developing the next generation of arms control, verification, and compliance professionals.

Having spent many years of my career working on Capitol Hill, I also know how important it is to collaborate closely with Congress on these issues, so let me conclude my remarks by pledging my strong commitment to work closely with Congress.

Mr. Chairman, Ranking Member Corker, and members of the committee, thank you for your time today, and I would be pleased to answer any questions you may have.

Thank you.

[The prepared statement of Mr. Rose follows:]

PREPARED STATEMENT OF FRANK A. ROSE

Good Morning, Mr. Chairman, Ranking Member Corker, and members of the committee. It is a great honor for me to come before the Senate Foreign Relations Committee as President Obama's nominee for the position of Assistant Secretary of State for Verification and Compliance, which we have renamed within the Department the Bureau of Arms Control, Verification and Compliance (or AVC). I would like to thank President Obama and Secretary Kerry for the confidence they have shown in me by nominating me for this position. I would also like to acknowledge my mother, Athalyn, and my sister, Nikko, who are here today to provide moral support. Finally, let me acknowledge my colleagues on the panel, especially, Rose Gottmoeller, with whom I have worked closely for the past 4 years and in whose path I will follow if the Senate agrees to confirm me in this position.

The Arms Control, Verification and Compliance Bureau traces its history back to the 1980s in the Arms Control and Disarmament Agency where it was known as the Bureau for Intelligence, Verification, and Information Support (IVI). It was then reestablished in the State Department by the Congress in Public Law 106-113. This important law defines the fundamental purpose and critical national security function of the AVC Bureau and establishes the Assistant Secretary as having the lead within the Department of State on, "all matters relating to verification and compliance with international arms control, nonproliferation, and disarmament agreements and commitments."

The Senate Foreign Relations Committee report that accompanied P.L. 106-113 called for an Assistant Secretary with a "true commitment to vigorous enforcement of arms control and nonproliferation agreements and sanctions." This is an essential mission for U.S. national security. So let me commit to you today, that if confirmed in this position, I will focus on continuing to effectively conduct rigorous compliance assessments and ensure that countries are accountable for the arms control, nonproliferation, and disarmament commitments they have made.

This core verification and compliance mission also puts the Bureau at the center of key national security efforts of the Obama administration.

The effective and timely verification of arms control, nonproliferation and disarmament agreements and commitments is essential to U.S. national security. The United States must be assured that countries in compliance with their commitments. As a result, verification regimes are crafted that often provide for onsite inspections, which allow the United States or multilateral organizations to have a physical presence to monitor compliance with another country's commitments. The staff of the AVC Bureau has a deep expertise, knowledge, and commitment to the verification and monitoring of arms control and nonproliferation agreements and commitments. Many of the Bureau's staff members have served as inspectors in arms control agreements, such as the START Treaty, the New START Treaty, the Conventional Armed Forces in Europe (CFE) Treaty, and the Open Skies Treaty, and other agreements, such as Libya's 2003 commitment to renounce weapons of mass destruction. This experience ensures that our compliance assessments are thorough, precise and timely. AVC is now playing a key role supporting the efforts to eliminate Syria's chemical weapons and will play a critical role in assessing the initial documents that Syria has provided to the Organization for the Prohibition of Chemical Weapons (OPCW).

As part of its responsibilities, the AVC Bureau is statutorily charged with producing several reports on the compliance of countries with their arms control, nonproliferation, and disarmament agreements. The largest and most important of those reports is the Annual Report on Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments, which we call the Compliance Report for short and once was also known as the Pell Report.

For the last 4 years, in my current job as Deputy Assistant Secretary of State, I have been responsible for overseeing the Annual Report on Compliance. This is an incredibly important report which the Obama administration takes very seriously. The compliance assessments in this report undergo a rigorous review to ensure the findings are factually based and have the concurrence of key U.S. Government departments and agencies, including the Intelligence Community. This massive effort results in a comprehensive package that distills numerous Intelligence Community and inspection reports, and provides a comprehensive assessment of compliance with a wide range of agreements and commitments, from the Nuclear Nonproliferation Treaty (NPT), to the 1999 Vienna Document, to the Missile Technology Control Regime (MTCR). Also included is information on the steps the U.S. Government has taken to resolve any compliance concerns.

Despite this massive undertaking, I am proud to say that the Obama administration has transmitted the Compliance Report to Congress every year for the past 4

years. I will admit, however, it has been a challenge to meet the report's April 15 deadline. Should I be confirmed in the position of Assistant Secretary, I want to commit to you that I will look at ways of developing a more efficient process so that we can get this important report to Congress in a timelier manner. As always, if confirmed, I will be prepared to discuss compliance issues with you at any time.

The AVC Bureau also produces three other reports that are required by Senate Resolutions of Advice and Consent. These include the Condition (5)(C) Report: Compliance With the Treaty on Conventional Armed Forces in Europe; the Condition (10)(C) Report: Compliance With the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction; and the Annual Report on Implementation of the New START Treaty.

Beyond the experience of AVC staff and these reports, the Bureau is seeking to develop new technologies that can be used to verify and monitor compliance with arms control agreements and commitments. One of the AVC Bureau's main efforts is through the Key Verification Assets Fund, known as the V-Fund, which was established in the Bureau by Public Law 106-113. This is a modest fund that we use to preserve critical verification assets and to promote the development of new technologies. In many cases, the AVC Bureau uses the V-Fund as "seed money" which we can leverage to influence the development of new technologies rather than replace or duplicate activities underway by other Government agencies. The objective is to encourage other agencies either to develop new technologies or to adapt existing projects to meet the Governments arms control verification needs. In addition, in order to better organize these efforts, the AVC Bureau has created a Verification Technology Research and Development Needs document, which identifies the priority needs of the Bureau for research and development programs to address critical arms control and nonproliferation technology requirements in the realm of verification and transparency.

The AVC Bureau also uses congressionally appropriated funds to build and enhance the verification regime of the Comprehensive Nuclear-Test-Ban Treaty (CTBT), which complements our own national technical means. When North Korea announced it had conducted nuclear tests in 2006, 2009, and 2013, the sensors of the International Monitoring System (IMS) rapidly provided information that described the location, seismic magnitude, time and depth of the events. Radionuclide detections at IMS stations in Japan and Russia were collected nearly 2 months after the 2013 event and were consistent with a nuclear explosion in North Korea. These detections played a key part in the U.S. and other states' efforts to verify North Korea's claims it had tested a nuclear device.

The Bureau is also seeking to engage more with civil society on verification issues and has begun an Arms Control Innovation Challenge. This challenge is now in its second iteration and seeks new, innovative ideas from the general public to heighten awareness on the topic of arms control. AVC is looking to use this challenge to develop new inspection tools, processes, and ideas that could supplement or even replace current technical approaches which date back to the cold war, with modern methods that capture the capabilities of mobile devices and easy information-sharing. It is also an opportunity to engage the larger community including students, technologists, inventors, and educators, to participate and become part of the solution to the verification and monitoring challenge. The 2013 challenge asks the public, "What Information Technology Tools and Concepts Can Support Future Arms Control Inspections?"

At the same time as the Bureau is carrying out this important verification and compliance mission, the Bureau was given the responsibility for the developing new arms control agreements as part of a 2010 restructuring contained in the Quadrennial Diplomacy and Development Review (also known as the QDDR). This restructuring enhanced the Department's ability to utilize traditional arms control tools to address the growing challenge of weapons of mass destruction. By bringing the arms control mission together with the verification and compliance missions in a single bureau under one Assistant Secretary, the State Department has ensured that verification and compliance regimes are built into arms control agreements from their inception and that compliance with all such agreements is diligently verified. In practice, this means that the Bureau's experts, with their decades of verification and compliance experience, are integrated directly into the efforts to develop new arms control treaties and, in many cases, are the ones drafting the new agreements.

The New START Treaty, which requires the United States and Russian Federation to reduce their deployed strategic nuclear warheads to no more than 1,550 by 2018, is an excellent example of this approach. The Treaty contains a robust verification regime. Let me highlight a couple of the important verification mechanisms. For example, the verification regime requires twice yearly exchanges of data on facilities, numbers and locations, and notifications as required regarding move-

ments of aircraft, flight tests, and new types of strategic offensive arms. To confirm that data, the verification regime allows the United States to conduct 18 inspections annually in Russia and vice versa. In addition, each Party is required to conduct an exhibition of new strategic offensive arms, which allows us to inspect the design of any new system. The Treaty's central limits, combined with the monitoring provisions that enable compliance verification, enhance predictability and strategic stability between our countries, and ultimately increase U.S. national security.

There is still much work to be done on the arms control agenda. President Obama has spoken of his desire to negotiate a verifiable Fissile Material Cutoff Treaty (FMCT). However, efforts to get such negotiations started in the Conference on Disarmament have been stymied. The United States remains committed to this important arms control treaty and is now examining other ways of making progress.

The modernization of the CFE Treaty, one of the three pillars of the conventional arms control process in Europe, is another area of focus for the AVC Bureau. Under CFE, thousands of inspections have taken place at military sites all over Europe, dramatically increasing confidence and military transparency on the continent by providing a means to verify the information provided in data exchanges. Together with our NATO allies and our other European partners, the United States is strongly committed to the preservation, strengthening, and modernization of the European conventional arms control regime, consistent with our core principles and concerns, such as host nation consent. We must adapt and improve the efforts to meet current and future security needs. The Vienna document is a good example of the use of Confidence- and Security-Building Measures (CSBM) to build predictability and mutual confidence in Europe.

The Bureau is also playing a lead role in the efforts to verifiably eliminate Syria's chemical weapons arsenal. The Framework Agreement for Elimination of Syrian Chemical Weapons reached by Secretary Kerry and Foreign Minister Lavrov in Geneva calls for the elimination of Syria's chemical stockpile under the auspices of the Organization for the Prohibition of Chemical Weapons, which was established by the Chemical Weapons Convention (CWC). The Bureau oversees the work of the U.S. mission to the OPCW in The Hague, which is leading the effort to reach agreement on the expedited destruction of these weapons in Syria.

There are also several other issues where the AVC Bureau has the lead role within the Department.

For example, the Bureau has the lead within the Department on missile defense. The Bureau was responsible for the successful negotiation of missile defense basing agreements with Turkey, Romania, and Poland for the implementation of President Obama's European Phased Adaptive Approach (EPAA). Now that the EPAA is being implemented, the AVC Bureau has turned its focus to seeking missile defense cooperation in other regions. For example, the United States already has robust missile defense cooperation with Israel and is seeking ways to expand that cooperation. The United States is also working on several initiatives under the auspices of the U.S.-Gulf Cooperation Council's (GCC) Strategic Cooperation Forum to enhance missile defense cooperation with our GCC partners. Finally, we are working on enhancing missile defense cooperation with our Asia-Pacific partners such as Japan, South Korea, and Australia.

Furthermore, like previous administrations, we are working to develop missile defense cooperation with the Russian Federation. Such cooperation is in the national security interests of the United States. However, we have been clear that any cooperation with Russia will not come at the expense of the ability to defend the United States homeland or our allies and partners from missile attacks from countries like Iran and North Korea. As we have informed the Russian Government on numerous occasions, the United States will not accept any limits on U.S. missile defense capabilities.

The AVC Bureau also has the lead for the Department on issues related to national security space policy and cooperation. President Obama's National Space Policy directed the U.S. Government to work with the international community to develop transparency and confidence-building measures or TCBMs in outer space on a bilateral and multilateral basis. Such TCBMs can help prevent mishaps, misperceptions, and miscalculations by encouraging openness, familiarity, and trust between governments. An example of TCBMs is the draft International Code of Conduct for Outer Space Activities. The AVC Bureau is leading the U.S. Government's efforts to work with the European Union and other space-faring nations to develop this Code of Conduct, which seeks to establish nonlegally binding guidelines for responsible behavior to reduce the hazards of debris generating events in space and increase the transparency of operations to avoid the danger of misperceptions.

These important issues underscore the important responsibility that I will be undertaking, should the Senate agree to confirm me as Assistant Secretary. It is an

important responsibility that I cannot achieve alone. One of my primary goals, should I be confirmed in this position, is to ensure that AVC retains and strengthens the expertise and experience that is essential for this important mission, but also to expand and develop the next generation of arms control, verification, and compliance professionals.

In addition, having spent many years working in Congress on then-Senator Kerry's personal staff, and on the professional staffs of the House Armed Services Committee and the House Permanent Select Committee on Intelligence, I know how important it is to work closely on these issues with Congress. So let me conclude my remarks by pledging my strong commitment to working closely with Congress on all of these issues.

Mr. Chairman, Ranking Member Corker, and members of the committee, thank you for your time today and I would be pleased to answer any questions you may have.

The CHAIRMAN. Thank you.

Mr. Scheinman.

STATEMENT OF ADAM M. SCHEINMAN, OF VIRGINIA, TO BE SPECIAL REPRESENTATIVE OF THE PRESIDENT FOR NUCLEAR NONPROLIFERATION, WITH THE RANK OF AMBASSADOR

Mr. SCHEINMAN. Thank you, Mr. Chairman, Ranking Member Corker, and members of the committee.

It is also an honor for me to appear before this committee as President Obama's nominee as the Special Representative of the President for Nuclear Nonproliferation. And I am grateful to President Obama and Secretary Kerry for the confidence they have placed in me.

I am also very pleased to be joined today by my wife, Justine, my two daughters, Audra and Sela—my son, Nathaniel could not be here—and my parents. This group reminds me, every day, there is life away from nonproliferation, as important as that work is.

As a longtime civil servant, I have spent more than 20 years dealing with nuclear nonproliferation issues in the Department of Energy, where I was appointed to the Senior Executive Service at the National Security Staff in the White House, and now at the State Department. But, my experiences actually reaches farther back, as I chose to follow my father's footsteps, Dr. Lawrence Scheinman, who is here and, himself, a well-known nonproliferation scholar and practitioner. And what I have learned along the way is that success in nonproliferation requires patience, persistence, and steady leadership, and that leadership can only come from the United States. We are the only nation with the reach and the influence to sustain it. And, if confirmed, I pledge to do my part to carry forward this legacy of leadership, working closely with my colleagues on this panel, agencies in Washington, and, of course, the Congress.

As Senator Corker said, preventing nuclear proliferation is a bipartisan national security priority. And central to this effort is ensuring that the Nuclear Nonproliferation Treaty, the NPT, serves as a unifying framework for our security. As the President said about the NPT in Prague in 2009, the basic bargain is sound: countries with nuclear weapons will move toward disarmament, countries without nuclear weapons will not acquire them, and all countries can access peaceful nuclear energy.

The United States is carrying out a broad strategy to advance NPT goals, and, as such, strengthen our national security interests. We are working to strengthen international safeguards to make cheating more difficult. We are securing vulnerable nuclear materials to deal with the threat of nuclear terrorism. We are encouraging new frameworks for nuclear cooperation that minimize nuclear proliferation dangers. We helped to secure a consensus at the 2010 NPT Review Conference, the first in a decade. And we are pursuing verifiable nuclear reductions with Russia. This is a positive and proactive U.S. agenda that reinforces international support for the NPT. That support is essential if we are to deal effectively with cases of noncompliance; in particular, by Iran and North Korea.

Noncompliance challenges the NPT's legitimacy, and it is a disservice to all states that play by widely accepted rules. It should be dealt with openly and directly. It is not a distraction from the priority others attach to nuclear disarmament or rights to peaceful nuclear energy. It is fundamental to achieving those goals. Nonproliferation and disarmament are mutually reinforcing and should be pursued in a balanced manner.

The 2010 NPT Review Conference approved an action plan that we think strikes this balance and is a good point of reference for future NPT review meetings. When NPT parties take stock of progress at the next review conference, in 2015, we can point to a solid record of achievement.

For example, some may not know that this year marks the end of a 20-year agreement with Russia to convert many thousands of Russian nuclear bombs into reactor fuel that is used to light American cities. Others may be unaware that the United States is the world's leader in peaceful nuclear assistance. States that uphold their nonproliferation commitments should know that they have a partner in the United States.

If confirmed, I will work to get this message across and pursue further steps to strengthen the NPT. More could be done to tighten IAEA safeguards and discourage abuse of the treaty's withdrawal provision.

Forging a still stronger NPT will require enormous effort on our part and the cooperation of partners who understand that the NPT is simply too important to fail or to be held hostage to unrealistic disarmament proposals or regional agendas that certainly cannot command consensus.

Mr. Chairman, I have learned from my government service that progress will require more than good ideas; it requires good people. And there is no shortage of that in the United States. I have had the privilege of working with some of the most talented and dedicated nonproliferation professionals in and outside of government. And, if confirmed, I look forward to drawing on this talent in the service of our nonproliferation goals. And, of course, I will consult frequently with Congress, and, in particular, this committee.

Thank you again, Mr. Chairman, and I welcome any questions you may have.

[The prepared statement of Mr. Scheinman follows:]

PREPARED STATEMENT OF ADAM M. SCHEINMAN

Thank you, Mr. Chairman and members of the committee. It is an honor to appear before this committee as President Obama's nominee as the Special Representative of the President for Nuclear Nonproliferation. I am grateful to President Obama and Secretary Kerry for the confidence they have placed in me. I am also very pleased to be joined here today by my wife, Justine Fitzgerald, and family members, who remind me every day that, while there are good reasons for working to prevent the spread of nuclear weapons, there's also life away from that work.

As a long-time civil servant, I have spent more than 20 years dealing with nonproliferation issues in the Department of Energy, where I was appointed to the Senior Executive Service in 2006, the National Security Staff in the White House, and now the State Department. I owe much to my father, Dr. Lawrence Scheinman, a well-known nonproliferation scholar and practitioner.

I learned from him and my colleagues that nonproliferation successes require patience, persistence, and steady leadership. That leadership must come from the United States; we were present at the creation of the nonproliferation regime, and no other nation has our reach and influence to sustain it. If confirmed, I pledge to do my part to carry forward the legacy of U.S. leadership, working closely with my colleagues on this panel, agencies in Washington, and the Congress.

Preventing nuclear proliferation is a bipartisan national security priority. Central to this effort is ensuring that the Nuclear Nonproliferation Treaty—or NPT—continues to serve as the unifying framework for international cooperation. As the President said about the NPT in Prague in 2009, “[t]he basic bargain is sound: Countries with nuclear weapons will move towards disarmament, countries without nuclear weapons will not acquire them, and all countries can access peaceful nuclear energy.”

The United States has a broad strategy that is advancing the NPT's goals and, as such, serving national security interests. We are working to strengthen International Atomic Energy Agency safeguards to make cheating more difficult; we are securing vulnerable nuclear materials around the world; we are encouraging new frameworks for nuclear energy cooperation that will reduce nuclear dangers; for the first time in a decade, we helped to secure a consensus final document at the 2010 NPT Review Conference; and we are implementing the New START Treaty successfully and committing to pursue further, verifiable reductions with Russia.

A positive and proactive U.S. agenda reinforces international support for the NPT. That support is essential if we are to deal effectively with cases of noncompliance, and in particular by Iran and North Korea, which pose the most significant threat to the treaty's future. Rules must be binding and violations must have consequences.

Noncompliance challenges the NPT's legitimacy and is a disservice to all states that play by widely accepted rules. It should be dealt with openly and directly. It is not a distraction from the priority others attach to nuclear disarmament or rights to peaceful nuclear energy; it is fundamental to achieving those goals. Nonproliferation and disarmament are mutually reinforcing and should be pursued in a balanced and collective manner.

The 2010 NPT Review Conference approved an “Action Plan” that strikes this balance and is a good point of reference for future NPT review meetings. When NPT parties take stock of progress on the Action Plan at the next Review Conference in 2015, we will point to a solid record of achievement. For example, this year marks the final one of a 20-year agreement with Russia to convert uranium recovered from thousands of Russian nuclear bombs to reactor fuel that is used to light American cities. Others may be unaware that the United States is the world's leader in peaceful nuclear assistance. States that uphold their nonproliferation commitments should know they have a partner in the United States.

If confirmed, I will work to get this message across and pursue further steps to strengthen the NPT. More could be done to tighten IAEA safeguards, discourage abuse of the treaty's withdrawal provision, and support existing nuclear-weapon-free-zone treaties. Action by the Senate on the protocols to the African and the South Pacific zone treaties before the 2015 Review Conference would be a helpful gesture.

Forging a still stronger NPT will require enormous effort on our part and the cooperation of partners who understand that the NPT is too important to fail or to be held hostage to unrealistic disarmament proposals or regional agendas that cannot command consensus.

Mr. Chairman, I have learned from my government service that progress requires more than good ideas; it requires good people. There is no shortage of that in the United States. I have had the privilege of working with some of the most dedicated

nonproliferation professionals in and outside of government, and, if confirmed, I look forward to drawing on this talent in the service of our nonproliferation goals.

Thank you again, Mr. Chairman. If confirmed, I look forward to consulting frequently with Congress and, in particular, this committee, and I welcome any questions you may have at this time.

The CHAIRMAN. Well, thank you all for your testimony.

We welcome your families who are here. We recognize that service is an extended reality, and we appreciate the families willing to endure some of the sacrifices that are involved. So, we welcome you all to the committee.

Let me start off by a question I ask every nominee. If confirmed, will you be responsive to questions and inquiries of this committee?

Ms. GOTTEMOELLER. Yes, sir.

Mr. ROSE. Yes, Senator.

Mr. SCHEINMAN. Yes, Senator.

The CHAIRMAN. All right.

Now, let me ask you, What are the U.S. goals for the 2015 Review Conference and the 2014 NPT preparatory committee meeting? And, if the NPT Review Conference is, for example, unable to censure Iran, does that imply acceptance of Iran with nuclear weapons?

Ms. GOTTEMOELLER. Perhaps I will start, Mr. Chairman, and ask if Adam Scheinman would pick up, since he will greatly engaged in both the Preparatory Committee and the Review Conference.

We have the advantage, coming out of the 2010 Review Conference, of a comprehensive action plan that we have been working on with both nuclear-weapon states and non-nuclear-weapon states through the intervening years. I, for example, am deeply involved in working with the P5 to begin to work on verification technologies together, to work on stability and security issues together, and, overall, to advance, in that way, the disarmament agenda by getting the P5, together, focused on responsibilities in the disarmament arena. So, we do have a comprehensive, I would call it, in some ways, roadmap as we are approaching the prep com and the Review Conference. But, it is not enough, and we have, I think, a lot of work to do in the upcoming 2 years to make sure that we approach the Review Conference in 2015 with a very robust set of results in response to the action plan.

I, in particular, have been working hard, under tasking directly from our President as he spoke in Berlin, with regard to pursuing further reductions with the Russian Federation. And I will be happy to talk more about this, but it has been a difficult slog. So, we will continue to be pressing on that issue, for example.

But, perhaps with this beginning—oh, one thing further.

With regard to Iran—and we will have more opportunities to speak on this point—we just defeated some actions at the IAEA General Conference that would have highlighted Iran in the ways that you are concerned about, and we are constantly assiduous in our efforts to ensure that we do not take any steps on the diplomatic front and oppose steps on the diplomatic front that would provide for any kind of hint that we would find acceptable an Iranian nuclear weapons program. It is the same with North Korea. So, we are constantly working to push back on any efforts of that kind. And I am sure it would be absolutely the same at the NPT Review Conference.

Adam, why don't you pick up on that.

Mr. SCHEINMAN. Yes, thank you.

I think the NPT Review Conference and the NPT review cycle is essentially a political process; and so, our principal goal at the conference ought to be to reinforce the broad support for the NPT as a bulwark against proliferation. We will try to see consensus, as we would in any multilateral gathering like this, but I think we have to be realistic about the prospects, given certain undercurrents, including rising Arab frustration that their favorite project, of a regional nuclear weapon-free zone, has not been moving forward, and concern that the nuclear-weapon states are not moving more rapidly toward nuclear disarmament. We will have to deal with that.

And, I think, if we cannot reach consensus, then what we ought to be doing is trying to encourage the widest number of states possible to support our agenda for the NPT. And it is an agenda, I think, that is widely shared by states, which would demonstrate that there is progress in the direction of disarmament. I think the United States has a fantastic record in this area, and we will highlight it. We will seek acknowledgment—we should seek acknowledgment that IAEA safeguards could be strengthened and that we might consider measures to deal with countries that would withdraw from the treaty and abuse their rights, as North Korea did.

The CHAIRMAN Let me interrupt you; that is a point I want to follow up on. Its withdrawal—North Korea's withdrawal, as well as the consequences that flow from that, how does the United States best ensure that current non-nuclear-weapons states ultimately, under the treaty, refrain from pursuing nuclear weapons in the future? And what type of consequences—some may call them “punishments” over time—but consequences are in place, or should be in place, for states withdrawing from the NPT?

Mr. SCHEINMAN. With respect to what can be achieved in the NPT, because it is a consensus-based process, there is the opportunity for countries to, essentially, halt progress. They have an effective veto on the decisions of the NPT. But, what we would like to do is raise expectations that states that withdraw from the NPT will face consequences. And we have been thinking about possibilities in that regard, including requiring that suppliers cut off cooperation with a withdrawing state, ensuring that the IAEA can verify the state of compliance in the country that is withdrawing.

But, I think the greatest prospect for penalizing states may not be within the NPT itself, but through the sanctions that we pursue, and pursue in partnership with other states. And I think what we have seen is that sanctions have been effective, not just because the United States insists on it, but because we have used the NPT and its process to highlight the dangers that noncompliance poses, not just to our security, but to the security of all nations. And, if confirmed—

The CHAIRMAN. Well, I—

Mr. SCHEINMAN [continuing]. I will continue that.

The CHAIRMAN [continuing]. I hope that we will look through whatever forum we think is the most appropriate, consequences for withdrawal, because there are incentives to join, and there should be consequences for withdrawal.

And if we map out the consequences before anyone withdraws, then it is not nation-specific, it is more global, in the sense of, "You understand the consequences of leaving." And, in that respect, we avert some of the individual bilateral challenges that we sometimes face at the Security Council and whatnot. So, I think, maybe work toward a goal that is broader—

Then, one final quick question—there is a whole host of them; I may have to submit some of them for the record—but, the IAEA's paid a pivotal role in global nonproliferation policy, and there are several prominent commissions that have recently argued that the IAEA is underfunded and overtasked. So, what is your view of that? Are those views legitimate? And, if so, how do we work to support the IAEA, particularly in the realm of verification in nuclear security?

Ms. GOTTEMOELLER. Perhaps, again, Mr. Chairman, I will start, and with your permission, perhaps Adam would like to add something.

President Obama's administration has been very committed to the funding of the IAEA, and we provide support to the annual budget—to the annual budget in a routine way, according to our assessment. But, we are one of the greatest supporters of the IAEA, in terms of budget support.

The other way we support the IAEA is in an extra-budgetary way, and that is by providing experts who really contribute in a very active way to the work of the IAEA.

You ask a very good question: Is it underfunded and overtasked? In fact, we have been pushing to increase some resources for the IAEA, doing so in a number of ways. One way we can do it, for example, is by providing expertise. So, it is not always a question of money, but also of providing expertise.

And I do think that, as time goes by, we will have a continued challenge, because the tasks only get greater. But, the organization is doing a terrific job, I think, under its current Director General, and we will continue to do everything that we can to support it.

Adam.

Mr. SCHEINMAN. Thank you. I would—

The CHAIRMAN. The essence of my question—and I am not looking for a simple "yes" or "no," but I want to get to the heart of it—Is it underfunded and overtasked? I understand how we support it, I understand that we provide technical expertise. That is all great. And I am not saying that the United States, alone, should be in the midst of making sure that it has the resources to meet its mission. But, the question is—all these commissions say that it is underfunded and overtasked. Is that a reality or are they wrong?

Mr. SCHEINMAN. Well, I would say that the IAEA is properly tasked, and, to the extent we can do more to encourage the IAEA's work, whether it is in security, nonproliferation safeguards, or peaceful uses, we should explore those opportunities. But, with respect to the NPT process, I would just simply note that the IAEA is important to all aspects of the treaty, and we have encouraged broad support for—

The CHAIRMAN. Right. So, neither of you have given me an answer. So, I want you to submit, for the record—I am not going to belabor this—the core question: Is it underfunded and overtasked?

It is either yes, underfunded, or no, it is not underfunded, and it is yes, either appropriately tasked or it is overtasked.

The CHAIRMAN. All I am trying to do is to get a sense of a major entity that gives legitimacy to efforts that we are concerned about, globally, creating the right—if we are going to use that as a venue, then we have to make it a venue that works. There is no trick question, here.

Senator Corker.

Senator CORKER. Thank you, Mr. Chairman.

Again, thank you all for being here and your desire to serve us in this way.

And, Rose, I think you know I have been concerned about comments that the President and Secretary of State have said about future reductions with Russia. And I know, in a dinner here one evening, you said that we would not have reductions without a treaty. And, since that time the Secretary of State, as I mentioned earlier, has said that that is the case.

In your opinion, does that foreclose the administration making unilateral reductions in our own arsenal if a treaty with Russia is not achievable?

Ms. GOTTEMOELLER. Sir, I mentioned that we have a hard slog, working with the Russians right now, but one thing I will say is that this is a very high priority for our President, and he has made it clear, from the time he first spoke in Prague in 2009, that he wants to pursue step-by-step reductions in our nuclear arsenal, and pursue them with the Russian Federation.

So, as I said first, when we had dinner together, back in July with the National Security Working Group, we will pursue a treaty with the Russian Federation. And, in fact, we are pursuing a treaty with the Russian Federation. We have already begun to have some initial exchanges with them on this matter, in a discussion format.

I would say that, in answer to your specific question, unilateral reductions are not on the table.

Senator CORKER. And so, you see no way that the administration would pursue unilateral reductions without a treaty.

Ms. GOTTEMOELLER. Well, sir, as I said, unilateral reductions are not on the table.

Senator CORKER. As you move forward with Russia—I know numbers of comments were made during New START regarding the massive amount of tactical weapons that Russia has, and they were not a part of the negotiation. And, to me, that was well understood and reasonable at the time. But, as we move ahead and as you continue to talk to your counterparts in Russia, what role will tactical weapons play in that?

Ms. GOTTEMOELLER. Sir, I am ever mindful of the Resolution of Ratification of the New START Treaty, for any number of reasons. And, frankly, we share the Congress' concern about nonstrategic nuclear weapons. And so, as we have laid out, starting with the Resolution of Ratification, we are seeking reductions in nonstrategic nuclear weapons with the Russian Federation. The President said, in Berlin in July, that we are seeking bold reductions. And we will continue to do so.

As a first order of business, we have been developing, with our NATO allies, some proposals for transparency, working together

with them to develop ideas for gaining more information, as a first order of business for all parties that would be involved. And it is important, in this case, to work closely with our NATO allies.

So, this is a priority for the President, and it is, and will be, a priority for me.

Senator CORKER. We had some issues, as we moved ahead with modernization—and again, I appreciate very much the update that we recently have talked about and the administration's put forth. Do you think the administration understands, fully, the importance in seeking reductions, the role that modernization has to play in that, and how it is almost impossible to look at reducing the amount of weapons and warheads we have without modernizing at the same time. Is it your sense they strongly believe that and internalize that and would only move forward on that basis?

Ms. GOTTEMOELLER. Sir, it is absolutely my conviction that they take modernization of the weapons infrastructure and the need to have a robust science-based stockpile stewardship program in place, and well funded. They are, I think, conveying their conviction in that regard by the degree to which they have ensured that the budget numbers coming up to the Hill are increasing for the National Nuclear Security Administration at a time when the budget is under a great deal of pressure from sequestration, from a number of other directions.

So, there is, I think, a real commitment by this administration, and it can be seen in the fact that, despite these budget pressures that are out there, since 2010 there has been a 28.7-percent increase in the NNSA budget for modernizing and sustaining the infrastructure of the nuclear enterprise. So, I do think that that conveys, in real terms, the commitment of this administration.

Senator CORKER. One of the other issues we discussed extensively and actually were able to add—I think it was the last amendment we added to the Resolution of Ratification under New START—was the absolute commitment to missile defense. And does the administration still take the position that the phased adaptive approach that we have, you know, laid out for Europe is absolutely nonnegotiable as it relates to dealing with Russia?

Ms. GOTTEMOELLER. Absolutely, sir. We will not place any limitations on our missile defense program.

Senator CORKER. Let me ask you this question. You know, if you look at the numbers of warheads that we each possess, what we are doing in Russia—I mean, in Europe is to—in the most common-sense ways, only about rogue nations. I mean, what we are establishing there in no way could counter what Russia possesses. It is just not possible. What is it in the Russian mentality that causes them to, again, continue to raise the issue of us having the missile defense system that we have in Europe, which clearly is about rogue nations, not about Russia? What is it in their mentality that continues to cause them to focus on that?

Ms. GOTTEMOELLER. Sir, maybe I will give a quick answer, and, if it is OK, I will ask Frank also to give an answer, because he is a real expert on this matter.

But, in my view, the Russians have long memories and a great regard for our technological prowess, and they have seen, over the years, beginning with—well, they were very struck by President

Reagan's Star Wars Program, and very concerned about our ability to deploy high-technology missile-defense capabilities at that time. And I think that anxiety has continued over the years. So, even though—I think they recognize, just as you say, that this EPAA is a very limited program that is focused on threats emanating particularly from Iran and North Korea—or Iran, in the case of the EPAA. Nevertheless, they are concerned about our technological capabilities.

I frequently say to them that it is important to take note that they have, themselves, taken some steps that are technologically based, in that they have, over the years, developed very good countermeasures for missile defense systems. So, I think, you know, frankly, there is an element of this, to me, that is also politically motivated. But, I will let Mr. Rose pick up on this.

Senator CORKER. Yes.

Mr. ROSE. Senator, I think one of the main concerns that the Russians have is, What comes next? As Rose noted, they know that the current set of capabilities, as you noted, would have no effect against the Russian deterrent, but they are concerned about what comes after that, and they have called for, "legally binding guarantees" that our missile defenses will not have a negative impact on their deterrent. And what they really mean by that is legally binding limitations on our missile defenses. And we have made it very clear that legally binding or any other limitations on U.S. missile defenses are not on the table.

Senator CORKER. Mr. Chairman, I see your eraser is on the button to turn me off, and I will wait until the—

The CHAIRMAN. Never to turn you off, Mr.—

Senator CORKER [continuing]. Until the next round. Yes, there you go.

The CHAIRMAN [continuing]. Senator Corker, but—

Senator CORKER [continuing]. I just—I hope—

The CHAIRMAN [continuing]. Will give another opportunity—

Senator CORKER. There may be another round, and maybe I will come back later. And I do thank you for the extra time now.

But, obviously, there have been concerns about Russian compliance with existing treaties, and we have had numbers of discussions in different kinds of settings regarding that, and I hope, at some point as you are answering other questions, you will talk about how that plays into future discussions, when we have issues, at present, with existing and preexisting treaties.

So, anyway, Mr. Chairman, I thank you, and I am going to step out for one moment and then step right back in. OK?

The CHAIRMAN. OK.

Senator Shaheen.

Senator SHAHEEN. Thank you, Mr. Chairman.

Well, Assistant Secretary Gottemoeller, hopefully I am going to give you an opportunity to respond to part of Senator Corker's question, because one area that I think was universally agreed on during the New START negotiations was the importance of getting our inspectors back into Russia so that we have a better understanding of what is happening with their facilities and their efforts on the ground in Russia to reduce their weapons. I know that one of the real benefits of the treaty that you were very involved in was

making that possible for us as we implement the treaty. So, could you give us an update on what is happening with getting those inspectors on the ground in Russia and how our understanding is being affected by having folks who are there who can see what is going on?

Ms. GOTTEMOELLER. Thank you, Senator. Under the New START Treaty, we are permitted to carry out 18 inspections in the Russian Federation at their strategic forces facilities, and we have been taking full advantage of those inspections every year the treaty has been in force. We are into year 3, at this point. We have done 18 inspections. And they are giving us a great deal of insight, not only the inspection regime, but the interplay of the inspection regime with the notification system, the database exchange, and other measures—of course, our own national technical means are important, as well—give us a very good day-to-day picture of what is going on in the strategic nuclear forces of Russia.

Same with us. They have the same rights, treaty rights. And that kind of reciprocal capability on both sides gives us a great deal of predictability and, really, strategic, I would say, stability on that account.

One thing I would like to say, in partial answer to Senator Corker's question, is that I recall, during our New START Treaty ratification debates, there were a number of concerns about START compliance that were brought up at that time. These were ongoing issues that were being discussing in the Joint Compliance and Inspection Commission. I remember one, in particular, which I will not discuss in detail in this setting, but it is a good example of what happens in the world of compliance investigations. In that case, what has unfurled since New START entered into force has, in fact, resolved some of those concerns that we had during the START Treaty ratification—or, START Treaty implementation.

So, it is a good example of how we like to handle these compliance issues. We do work on them constantly with the other countries that are involved, and we look for every way we can to resolve concerns. And, in this case, this concern was resolved. So, it is a good example of how we look to handle these compliance problems.

Senator SHAHEEN. Thank you.

One of the stories that has been in the news for the last couple of days is the Chinese effort to ban export to North Korea of some dual-use products that might be used in weapons of mass destruction. And I wonder if any of you could speak to what the significance of that might be. They have also called for the resumption of the six-party talks. Does this indicate a new involvement on the part of China and their growing concern over what is happening in North Korea?

Ms. GOTTEMOELLER. Senator Shaheen, I had the opportunity to go to Beijing in June. We have regular exchanges with them, at my level and at multiple levels above my head, and below me, as well. And I will say that, in recent months, we have seen an uptick in the cooperation with China on dealing with dual-use items and dealing with trade in such items. And so, they are improving as a partner; I will put it that way. And I think that that is a very, very positive step. More work to be done, of course, and they are obvi-

ously very keen to get back to the negotiating table with the North Koreans.

We have been clear, first of all, that we will not accept the nuclear status of the Korean Peninsula. The North Koreans have to take some real steps to prove that they are, indeed, ready to begin the process of denuclearization. We have to see some practical steps. And I think that it is important to continue to press them on that.

It was a good thing that they reopened the Kaesong industrial complex a few weeks ago, but it is high time to begin some real steps on denuclearization and to prove that they are really ready to get back to the negotiating table.

Senator SHAHEEN. Thank you.

I only have a few seconds left, but, Mr. Rose, one of the things you point out in your testimony is that the ABC Bureau will play a lead role in verifying the elimination of Syria's chemical weapons arsenal. So, can you talk about some of the challenges that the Bureau will face as you are looking at how to do that?

Mr. ROSE. Yes. Thank you, Senator. We will have three key jobs with regards to Syria.

One, we will have to provide all of the guidance to the U.S. Delegation to the OPCW. Now, luckily, we have a fantastic Ambassador in Robert Mikulak. So, all of the policy guidance to the OPCW will come from the ABC Bureau.

Second, we will be responsible for, in consultation with our inter-agency colleagues, a providing of support to the OPCW's verification mission in Syria. Syria has stated its intention to become a state's party; therefore, it will be the OPCW who be responsible for the verification of the destruction.

And then, finally—and this is an important part that we play here in the U.S. Government—is, we will make the unilateral U.S. decision, in the Compliance Report as well as other reports, as whether we, the United States Government, believe that Syria, as a party to the CWC, is compliant with its obligations. So, we will play a major role.

Senator SHAHEEN. Thank you very much.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator Murphy.

Senator MURPHY. Thank you, Mr. Chairman.

Welcome, to the panel.

One of the things that very quickly spirals conflicts, particularly as we have seen in the last few years in the Middle East, out of control is the ease of access to conventional and small weapons. Yesterday, the United States—Secretary Kerry—took a really important step toward controlling the flow of these weapons into civil wars to be used in mass atrocities by signing the Arms Trade Treaty.

Ms. Gottemoeller, I just wanted ask you a few questions about this treaty. I do not know what the schedule will be, in terms of when it gets presented to the United States Senate, but clearly we know that there is an enormous amount of misinformation out there about the treaty, as it stands today. I would note, I think—and you can correct me if I am wrong—but, that the three main

nations who are not party to that treaty are North Korea, Iran, and Syria. Tells you a little bit about—

Ms. GOTTEMOELLER. They did not sign it.

Senator MURPHY. Did not sign—right.

Ms. GOTTEMOELLER. Yes.

Senator MURPHY. Did not sign.

Ms. GOTTEMOELLER. They did not actually join the consensus. It was really major consensus in the U.N. General Assembly on this.

Senator MURPHY. Important to note that this was a consensus-based treaty.

So, I guess the first question is, Does this treaty—should we consent to, in the United States Senate, require the United States to change any of our existing laws with respect to the way we treat arms trade inside and outside of this country and the way that individuals in this country buy or purchase arms?

Ms. GOTTEMOELLER. Sir, there will be no impact whatsoever on our domestic trade in arms. This is an arms treaty for exports and imports. And, in fact, the treaty tracks very well with our own national laws for importing and exporting weaponry of this kind. In fact, it is important because it is focused, not only on guns, but also on larger pieces of equipment, such as tanks and that type of lethal equipment, as well. So, it is focused on trade in these weapons and does not affect anything to do with our own domestic arrangements.

I will further stress that it is important to note that the Arms Trade Treaty took advantage of the very high standards in the U.S. export and import laws with regard—and regulations—with regard to arms trade. And, in fact, we feel that it is—the treaty will have the effect of bringing other countries up to our standards, other countries who are seriously lagging and, in fact, have contributed to the bloodbaths in places like Africa, because of their more lax approach to the export of armaments.

So, we see that it is in our national security interest, as well as being in the interest of international security, because it will help to deal, I think, with some of the arms flows into these terrible civil wars abroad.

Senator MURPHY. What about this claim that is out there that this will lead to or require a gun registry in this country? There is a lot of commotion out there that there is a provision of the treaty that would require gun owners in this country, when they purchase a gun, to register them.

Ms. GOTTEMOELLER. No, sir, there is actually nothing in the treaty that touches on our domestic arrangements. It would not require the formation of a national gun registry, not in any way, shape, or form.

Senator MURPHY. I think we are going to have a lot of work to do to try to debunk this mythology about the treaty. I agree with you that it is central to the national security of this country. It is a preventative measure to try to stop some of these conflicts from getting to the degree of ferocity that they achieve by limiting the arms that flow in. Clearly, it is an attempt to try to stop some of these mass atrocities that have happened through the ease of arms. I hope that it does get presented to the United States Senate. I understand the impediments that it will be greeted with. But, the my-

thology and the lies being spread about the treaty are pretty easy to be back. I appreciate your work on it, and look forward to seeing it before the Senate.

Thank you, very much, Mr. Chairman.

Ms. GOTTEMOELLER. Thank you, sir.

The CHAIRMAN. Senator Markey.

Senator MARKEY. Thank you, Mr. Chairman, very much.

And, you know, thank all of you for being willing to serve our country in these very important roles. I think the President has given us an excellent group to take on these important tasks for our country.

Ms. Gottemoeller, the job that you have done is a tough act for Mr. Rose to follow, and—

Ms. GOTTEMOELLER. Thank you, sir.

Senator MARKEY [continuing]. And I am sure he is going to do an excellent job, as well.

And I want to commend you for the role you played as the chief negotiator of the New START Treaty. New START sends a clear signal that the United States will lead the way in the effort to reduce the global stockpile of nuclear weapons, a goal which I wholeheartedly support. In fact, at a time when the United States has formally agreed to reduce its nuclear arsenal, our nuclear weapons budget remains bloated and filled with outdated cold war radioactive relics of the past, and there is a strong consensus amongst defense experts and retired military officers that a far smaller nuclear force is required for an effective nuclear defense and deterrent, I think that we should be working toward smaller nuclear stockpiles here in America. We have many, many former generals and admirals who are now saying that is something that we can do, in a manner that is completely consistent with our national security. And I think that has to be a big part of our discussion, because it saves us money, here, domestically, as well, if we do not roll out a whole new generation of new nuclear weapons, which are on the plans right now, going out over the next 10 years or so. We can save money there while we enhance our own security.

So, let me ask you, if I may, about the Middle East and the United Arab Emirates and—

The CHAIRMAN. Would the Senator yield for a moment—

Senator MARKEY. Oh, sure, I will be glad to.

The CHAIRMAN [continuing]. Just to—and we will add time to his clock.

I am going to have to go to the White House for a meeting, so I am going to excuse myself. Senator Murphy has been gracious enough to assume the chair and conclude the hearing.

The hearing's record will remain open until 12 noon tomorrow. There will be questions for the record, as I know I will be submitting a series of them. I would ask the nominees to answer them as quickly as possible in order to consider the possibility of your nominations at the next business meeting.

The CHAIRMAN. And, with that, Senator Murphy, I appreciate you taking the chair.

And if the Ranking Member comes back and he is looking for additional time on this issue, I would ask you to entertain that, as well.

So, thank you, Senator Markey.

Senator MARKEY. Well, I appreciate it. Thank you, Mr. Chairman—

Ms. GOTTEMOELLER. Thank you, Mr. Chairman.

Senator MARKEY [continuing]. Very much.

So, I applaud the administration's insistence that the United Arab Emirates promised that it would not reprocess plutonium or enrich uranium as a condition of entering into a nuclear cooperation agreement with the United States in 2009. But, I am concerned, and maybe you could clarify this for me, when it seemed as though the United States might have decided that it would not insist on these and other nonproliferation commitments as part of future nuclear cooperation agreements. Could you talk about that a little bit?

Ms. GOTTEMOELLER. Yes, Senator, I would be happy to.

And this is with regard to a long discussion and debate that we have had about the so-called "gold standard." And one thing that I wanted to stress today, and also really commit to you concerning, is to sustain a nonproliferation policy that will, in its entirety, represent a gold standard. And so, that is what we are doing in moving forward on these 123 agreements. That is that we have many tools where, as a matter of high priority, the United States does everything it can to minimize indigenous reprocessing and enrichment, and we will continue to do everything that we can. This is a bipartisan policy that is stretched back three decades or more, and it is something to which the United States Government and its executive branch—and, I know, very much supported here on Capitol Hill—is very determined to continue to focus on finding every tool we can in our toolbox to minimize enrichment and reprocessing. I think, frankly, one of the most promising ways that we have to proceed, at this moment, is by continuing to develop the international fuel bank concept—and we have been working very closely with the IAEA on that—and to offer many approaches and options for countries not to even be tempted to develop their own indigenous ENR capability. So, that is the approach that we are taking.

Senator MARKEY. So, that is kind of my concern, that, as we look at North Korea or we look at Iran, we see two programs that kind of compromised a program—took a peaceful program, and turned it into a weapons program. And, as we look at South Korea, we look at Vietnam now, as we're going forward talking about nuclear cooperation agreements, I just want to make sure that we do have, truly, a gold standard in place, you know, so that we understand what the consequences are.

So, can I just ask you just a couple of questions? One, do you agree that all future nuclear cooperation agreements should include binding nonproliferation commitments?

Ms. GOTTEMOELLER. Well, sir, as I said, we have many tools in our toolbox to really encourage countries and ensure that countries are working with us on the development of peaceful nuclear power. And we are really looking for ways that will, in the best way possible, facilitate their continuing to eschew indigenous enrichment and reprocessing.

Senator MARKEY. And—fine—do you also agree that commitments not to reprocess plutonium or enrich uranium, commitments

to allow, through international inspections, and commitments about what nuclear technology can be resold, would be vital non-proliferation conditions to seek?

Ms. GOTTEMOELLER. Well, sir, we are always concerned that trade in these important items that are related to nuclear power and developing civil nuclear power programs, that trade be carefully regulated.

Senator MARKEY. Yes. So, I guess what I was saying, Mr. Chairman, is that my own belief is that our credibility with North Korea and Iran is tied to what are the new agreements, going forward in the future. And I would just, you know, say that, you know, I think the people who the President has nominated here are really top-notch, and I hope that they are confirmed.

And I yield back the balance. Thank you.

Senator MURPHY [presiding]. Thank you, Senator Markey.

Senator Rubio.

Senator RUBIO. Thank you.

Ms. Gottemoeller, I wanted to ask—I think you were asked this earlier, so I apologize; I was watching on TV, and I caught the tail end of it, but I just want to be clear, for the record—my understanding is—and I just want to reiterate it—you have stated definitively here today that if Russia does not agree to make further limitations on strategic nuclear weapons, the administration will not make unilateral reductions.

Ms. GOTTEMOELLER. Sir, as I said, the administration has committed, and the President also, in talking about how to pursue further reductions, has said that we will pursue a treaty with the Russian Federation. I correct myself; it was actually Secretary Kerry. And Senator Corker was quite correct to point out that he recently sent a letter in that regard. And further, I am able to say that unilateral reductions are simply not on the table.

Senator RUBIO. OK. So, not on the table now, but, just—the administration commits that it will not undertake unilateral reductions?

Ms. GOTTEMOELLER. Sir, what I can—

Senator RUBIO. Is that the position of the administration?

Ms. GOTTEMOELLER. Sir, what I can say is that they are not on the table.

Senator RUBIO. But “not on the table” signifies that it is not being considered today. You cannot—you—I understand that you are not the President, but you cannot state here today unequivocally that there will never be, under this administration, a unilateral reduction in our strategic nuclear capability?

Ms. GOTTEMOELLER. They have not come up. They are not being considered.

Senator RUBIO. At this time. But, you cannot rule them out. I mean, in essence—that is not a statement that has come from this White House, to say that will never happen, correct?

Ms. GOTTEMOELLER. Sir, I can say that unilateral reductions are simply not on the table. That is what I can say.

Senator RUBIO. Well, “unilateral reductions are not on the table” signifies, to me, that they are not being currently considered, but it leaves the door open to them potentially being considered. And again, I understand that you do not have the authority to make

that decision; you simply execute the policy of the administration. But, apparently it is not the policy of the administration to rule them out in the future; it is only the policy of the administration to say that they are not on the table today—is my perception of your answer.

Ms. GOTTEMOELLER. Senator, may I just add one comment—

Senator RUBIO. Yes. Of course.

Ms. GOTTEMOELLER [continuing]. There? You know, I think it is very important to bear in mind that there may be a number of reasons why we would undertake reductions—for example, in our ICBM force. The Air Force, for example, may determine that an ICBM, or a couple of ICBMs, are a safety danger and, you know, could explode. This is entirely a hypothetical. But, I am just saying that it is important to know that we may take reductions in a number of different ways, and we would not want to have to call up the Russians every time—

Senator RUBIO. Yes, let me be clear. I am talking about militarily significant reductions, not the need of three or four individual units that may be malfunctioning and need to be replaced. So, I am—what I am discussing here, and what I—to be clear, what I am talking about is significant—militarily significant reductions.

And the point I am trying to get at is, I do not support unilateral reductions by the United States as an effort of good will to the world. And you have stated to us here today that the policy of the administration is that it is not on the table. And that indicates, to me—and I do not mean to put words in your mouth, and I know it is not your policy; your job is to execute the policy of the administration—but that indicates to me, that, while it is not being considered today, it is something that could potentially be considered in the future. To me, that is not definitive.

I do not blame you for that statement; I just understand—but, it is important for me—in—to understand that the position of the administration is “unilateral reductions are not being considered at this time.” But, so far, I have not had anyone in the administration rule out future significantly reduction—or, significant—militarily significant reductions in the future if they feel it is appropriate. And that was important for me to get on the record. And if I am incorrect about that being the position of the administration, then I would hope to hear from somebody in the administration to clarify that.

I do not want to finish here today without asking you about compliance. And again, I think Senator Corker has asked you this, but my fundamental question is, Is our assessment that Russia is in compliance with its current arms control treaty obligations—with the current obligations? Are they in compliance?

Ms. GOTTEMOELLER. Sir, there are some areas where we have concerns about Russian compliance. The CFE Treaty, for example, Russia ceased implementing the treaty in 2007, and we have taken countermeasures—legal countermeasures to respond to that. So, there are some cases where we are concerned about Russian compliance, no question about it.

Senator RUBIO. What about the Intermediate-Range Nuclear Forces Treaty?

Ms. GOTTEMOELLER. Well, I think that it is important to note that we consider all of the treaties and agreements out there to have some issues associated with them, with many countries around the world. And that is why our compliance report is sent up every year in various versions—unclassified, secret, and top-secret—which gives you a full picture of what the compliance situation is with treaties and agreements for all countries where we have concerns.

So, sir, there are, I think, some great opportunities to sit down—I have welcomed the opportunity to brief you, always.

And, on your previous question, too, I wanted to say that we are always ready to consult and brief this committee and the Senate whenever you have any concerns or questions.

Senator RUBIO. Just on the issue of compliance, and I will wrap up. The reason why that is important—and again, I fully understand that your job is to execute the policy of the administration, so I do not blame you, individually, for any of this—but, I just wanted everyone to understand that the reason the compliance issue is so important, in particular to me, is because I think the American public, besides a Member of Congress, have a right to know. And here is why. Because compliance is critical, in terms of assessing future treaty possibilities with someone.

It is tough to enter into future treaties with people that are not complying with existing ones. It is tough to enter into future agreements that you can trust in with countries that have a history of trying to evade their previous and existing obligations. And for us, as policymakers who are ultimately asked to ratify these treaties, it is important that the public be aware of the administration's assessment on this.

So, we will have a further conversation in the appropriate settings about that, but I really personally believe, and I hope that you agree, that the public has a right to know whether or not the U.S. Government believes that Russia is in violation or of non-compliance of any of these treaties. And I hope we can talk about that further.

Thank you.

Ms. GOTTEMOELLER. Thank you, Senator. I will say that we absolutely agree with you on compliance and that it is very important for the public also to have a view as to what is going on with compliance with countries around the world.

I will also pledge to you that we continue to work assiduously on compliance issues. Again, we have had some good luck in certain cases. Mr. Rose was involved in a case a few years ago, where, through his diplomatic efforts, he was able to resolve some compliance concerns we had with the Chinese concerning their participation in the CWC. But, I think, we do not enter into these treaties as a favor to anybody, certainly not as a favor to the Russians. We enter into them because they are actually serving our national security interests, and they will continue to do so or we will not enter into them.

Senator MURPHY. Senator Corker, for second round.

Senator CORKER. So, I am just going to ask one question. And I appreciate your testimony, and we will probably follow up with some other questions, I know this is a pretty technical area.

I was curious. We have had a lot of discussions about what to do with the Syrian opposition. I know the committee passed, on a 15-3 vote, providing lethal assistance to the vetted opposition. And I know that, recently, President Obama waived the application of Section 40(a) of the Arms Export Control Act to do certain things within Syria. And I just wondered—I suppose that he could do the same thing, relative—or, the administration could do the same thing, relative to providing lethal assistance to the vetted opposition. And I am just wondering why that has not occurred. I know that, you know, it is an interesting place that we find ourselves, where we have—the administration has announced publicly that there are covert activities, relative to doing these things. I do not know that I remember that kind of situation existing. And part of the reason, I guess, that they have stated they want to do it in that fashion is some of the kind of things that I am talking about now. On the other hand, we just waived it to do—we just waived it to deal with Syria, in any ways.

So, can the administration waive that if they wanted to provide lethal assistance directly to the vetted Syrian opposition, as they have stated that they are doing covertly?

Ms. GOTTEMOELLER. Sir, I am simply—I am not a lawyer, and I am not up on this particular issue, so I would like to take it for the record, if I may.

I do know that the nonlethal assistance that we wish to provide to the Syrian—vetted Syrian opposition is—they are the types of things that will be very helpful, actually, to their ability to operate on the ground—communications and transportation capabilities, particularly. So, we are working hard to get that kind of assistance delivered. And the fact that the President has signed this waiver is very helpful in that regard.

But, I am simply not up on the other matter, so, if I may, I will take the question for the record.

Senator CORKER. I understand. And I would appreciate it. We will probably have numbers of others.

But, to all three of you, thank you for your willingness to serve in this capacity. The types of issues that you are going to be dealing with are some of the most important, let us face it, not only to our country, but, because of our country's role in the world, to the world. And I thank you for continued transparency as you move ahead, and openness in talking with us, and for your willingness to serve in this way.

Ms. GOTTEMOELLER. Thank you, sir.

Senator MURPHY. Thank you, Senator Corker.

To give Senator Barrasso a chance to breathe, I will just ask one question as part of a second round and then turn it over to Senator Barrasso. And I will direct it to Mr. Scheinman, to make sure you are part of this conversation, as well.

I just want to talk to you about the broad issue of how we provide countries access to peaceful nuclear energy technology while also trying to manage and pursue nonproliferation goals. There has been discussion—and I know the State Department has been considering what is referred to as the “gold standards,” essentially requiring our partner nations not to acquire enrichment or reprocessing technology as part of these bilateral nuclear cooperation agree-

ments. And so, I just wanted you to speak for a moment as to the future of that tension that is going to play out as more countries may come to us for these nuclear technology agreements, and whether or not that gold standard is something that we should apply in the future to these agreements.

Mr. SCHEINMAN. Well, thank you, Senator.

I would note that, in my position, if confirmed, I will not have a direct role—I do not expect to have a direct role in negotiating 123 agreements, so I cannot provide too much of an answer.

I would say, though, that the administration, of course, is very much focused on ensuring that the development of nuclear energy worldwide is done in a way that minimizes proliferation dangers. And, as Ms. Gottemoeller had said, there are a range of efforts underway to do that. And what I would do, if confirmed, is to ensure that all of those efforts find expression in the NPT process.

So, the idea of a nuclear fuel bank or fuel reserves that are made available to states as an alternative to pursuing national enrichment or reprocessing activities, that should be pursued. We have had—we have been able to tighten export controls, in the Nuclear Suppliers Group, on these technologies. We work with countries around the world to ensure that, if they are going in the direction of nuclear power, entering this sector, that they do so responsibly and fully respect all of the requirements for safeguards and security and safety and so forth.

And so, it is really that full effort of activity that we would pursue to ensure that we do not see another wave of proliferation as nuclear energy expands, if it expands.

Senator MURPHY. Let me put the question to you, then, as well, Ms. Gottemoeller, and also maybe in the context of the announcement in April with respect to the—I guess, to your extension of the 123 agreement with South Korea. We were unable, I suspect, to get a new agreement there. I would like you to speak to the reasons why we were not able to get a new agreement with the South Koreans, and then speak to the broader question of what the future of these agreements may look like, and any changes that the Department is looking into with respect to how we enter into these agreements in the future.

Ms. GOTTEMOELLER. Thank you very much, Senator Murphy.

In fact, I like the way you said “the future of these agreements,” because each of these agreements is designed for the particular circumstances of the country with which we are working. And, for that reason, we do take a number of different approaches.

The ROK negotiation that you referenced is going to be a complex one, because we have a big relationship with the ROK, not only as one of our most important allies in Asia, but also the fact that we have a big civil nuclear potential to work with them, and we have, historically, had a lot of cooperation with them on civil nuclear power. So, it is more of a complex negotiation than may be the case for some other countries, where we would enter into 123 agreements.

So, we have been appreciative of the willingness of the Congress, the Senate, and the House to look at our preferred approach of a clean extension of the existing agreement so that we will have time

to negotiate this longer and more complicated agreement. So, that is really the reason.

I would say that we are the country that leads the world, in terms of our approach to strong nonproliferation policy. We set the standard, worldwide, for export controls, for example. We were talking about the ATT, a while ago. Across the board, we set the standard for international nonproliferation goals and priorities.

So, I would only say that I think we need to use every single tool in our toolbox in order to ensure, as we enter into these agreements for nuclear cooperation, that these countries are embracing very high standards, themselves, and are willing to work with us to continue to avoid the proliferation of weapons of mass destruction, and particularly nuclear weapons, of course.

Senator MURPHY. Thank you.

Senator BARRASSO.

Senator BARRASSO. Well, thank you very much, Mr. Chairman. Congratulations, to each of you.

While the committee was starting to hold hearings, I was actually in a radio discussion with a station back in Wyoming, specifically about the Arms Trade Treaty. So, if I could ask you, Ms. Gottemoeller, specifically in your response to Senator Murphy, I think you stated that the Arms Trade Treaty does not require the formation of a national arms registry.

Ms. GOTTEMOELLER. That is correct, Senator Barrasso, it does not require the formation of a national arms registry.

Senator BARRASSO. You know, I have the treaty here, and Article 5, General Implementation, says, "Each state party shall establish and maintain a national control system, including a national control list, in order to implement the provisions of this treaty."

So, I guess I—you know, reading this to you, I ask, What does it mean if it does not require the establishment and maintenance of a national arms registry? Could you tell me how you interpret the words in the treaty?

Ms. GOTTEMOELLER. Yes, sir, absolutely.

I will say, as a blanket matter, the treaty does not require us, in any way, to change our national legislation, our national regulations or approaches. The reference in Article 5 is to the establishment of export control lists. And we do that all the time. In fact, we are, I think, the world leaders, in terms of our standards for export controls on armaments. So, this treaty is an arms—just what it says, it is an Arms Trade Treaty. It is for regulation of the trade of armaments on the international market. It has nothing to do with U.S. domestic policy or domestic constitutional rights.

Senator BARRASSO. Well, perhaps, then, I am confused on this, or—there is some confusion, because, even in Article 2, in terms of the scope, and on the same page, it does talk about small arms, light weapons, under cover—Section 2, covered there.

Ms. GOTTEMOELLER. Yes, sir, it does cover, not only small arms and light weapons, it also covers larger equipment, such as tanks and so forth. And the focus is, again, on trying to get countries who have not been responsible exporters of armaments to put in place more effective export control regimes. And, in fact, our export control regime is—we have been talking about "gold standards" today—it is the gold standard that was, I think, kind of a model

for what we are thinking about when we talk to other countries about improving their own handling of armaments exports.

So, it is focused on export on the international front.

Senator BARRASSO. As you are aware, Senate approval of a treaty requires two-third votes—we are talking 67 votes. Last year, 51 Senators—and some of those Senators have changed; there are some new ones, so on—but, last year, a majority of Senators sent a bipartisan letter to President Obama and to Secretary of State—then-Secretary of State Clinton expressing grave concern about the dangers posed by this U.N. Arms Trade Treaty. The treaty opens the door, I believe, to a U.N. gun registry on law-abiding U.S. citizens. And, as you know, Secretary Kerry, who talked—signed this, just yesterday.

So, would the administration ignore the concerns, I still believe, of a majority of the members of the United States Senate, when the administration would need two-thirds of the Senators to approve it? So, as Acting Under Secretary of State for Arms Control and International Security, I would ask what your involvement has been in the decision by Secretary Kerry to sign this treaty.

Ms. GOTTEMOELLER. Sir, this was an interagency decision that was fully agreed by all, including, of course, by the White House. So, I think we were all very keen to see the treaty signed—again, because it is an effort to really halt the flow of armaments into civil wars in places like Africa—to really help to halt the bloodbath that has ensued from poorly regulated exports in armaments. It is an Arms Trade Treaty and has absolutely nothing to do with our own domestic arrangements.

Senator BARRASSO. In the time I have left, I want to move to Russian compliance with arms control. And in the last START Treaty, I believe Russia violated verification provisions on the counting of ballistic missile warheads. I believe Russia is, essentially, a serial violator of arms control treaties. They have failed in the verification monitoring of mobile ballistic missiles telemetry. And when President Obama completed the New START Treaty, there were a number of compliance issues outstanding with the original START. So, can you talk about some of the violations of the verification and inspection procedures which have occurred by Russia under the New START Treaty?

Ms. GOTTEMOELLER. Sir, Russia is in compliance with the New START Treaty. And, as usual—and this goes, I think, for all parties to a treaty—there may be issues that arise in the course of implementing a treaty, and these are considered, in this case, in the Bilateral Consultative Commission. That's the implementation body of the New START Treaty. They will be meeting again in Geneva in October, and they will be working to resolve issues that have arisen. The Russians bring up issues that they have with our implementation, as well.

These are very complicated treaties to implement, often, with—you know, we're basically inside the Russian nuclear—strategic nuclear forces bases, and oftentimes there are questions that arise.

But, we have been working very well to resolve these questions. I see nothing on the horizon that would lead me to believe we won't be able to do so in the upcoming sessions of the BCC.

Senator BARRASSO. Mr. Chairman, will you indulge me to just two more questions?

Along this same line, has Russia attempted to conceal any weapon systems subject to verification and inspection, that you know of, yet under this New START Treaty?

Ms. GOTTEMOELLER. Not that I know of, sir.

Senator BARRASSO. And has Russia attempted to deter or change inspection procedures in what we would think would be the way that we should be inspecting these systems under the New START Treaty? Because as you said, these are very technical and complicated, and we may interpret things a little differently than what they may interpret them.

Ms. GOTTEMOELLER. Well, and that, again, is the purpose of the BCC, where we can get together and work out any issues that we have, and any questions that have arisen. As I said, I am not aware of any questions that have arisen with regard to either issue that you have raised now, but, if it is on the agenda for the BCC, it will be discussed there and, I hope, resolved. We have got a great record now—this is BCC-6 that is coming up—we have got a great record in the previous five sessions, of resolving issues that have arisen on both sides of the table, and I see no reason to expect that we would not be able to resolve concerns, going forward, whether it is in this session or in a future session, because the BCC, under the terms of the treaty, must meet twice a year, at least.

Senator BARRASSO. Thank you.

Mr. Chairman, with your permission, I will submit other questions for the record and for written answer.

Senator BARRASSO. Thank you, Mr. Chairman.

Senator MURPHY. Great, thank you very much, Senator Barrasso. I believe the chairman and the ranking member likely will have questions for the record, as well. It will remain open until noon tomorrow.

Thank you very much for your testimony, for your appearance. We look forward to working with you on swift confirmation.

With that, this hearing stands adjourned.

[Whereupon, at 11:45 a.m., the hearing was adjourned.]

ADDITIONAL QUESTIONS AND ANSWERS SUBMITTED FOR THE RECORD

RESPONSES OF HON. ROSE E. GOTTEMOELLER TO QUESTIONS SUBMITTED BY SENATOR ROBERT MENENDEZ

Question #1. What is your assessment of the health of the nonproliferation regime? Have North Korean and Iranian actions fatally weakened it? What punishments are in place to prevent states from withdrawing from the NPT?

Answer. The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) regime is facing challenges but the basic bargain remains strong. The NPT provides the legal basis for holding States Parties accountable for their actions that are contrary to their obligations under the treaty. Iran and the DPRK pose nonproliferation regime challenges to which the international community must continue to respond. The international community has responded to the challenges of Iran and the DPRK through both diplomatic engagement and pressure, including through the imposition of United Nations Security Council (UNSC) sanctions, as well as other national and multilateral measures that extend beyond the UNSC-mandated measures. The international community must persist in making clear to any country the consequences of noncompliance.

We are working with a number of NPT Parties on recommended measures to address abuse of the treaty's withdrawal clause. Such measures should make clear

that states cannot violate the NPT and avoid the consequences by withdrawing. This could include actions by suppliers to cut off cooperation with a withdrawing state, to ensure that states cannot misuse materials and equipment that they have already received, and ensuring access by the IAEA to verify the state of compliance in the country that is withdrawing.

Question #2. The IAEA plays a pivotal role in global nonproliferation policy. Several prominent commissions have recently argued that the IAEA is underfunded and overtasked. What is your view on whether the IAEA needs additional resources? How will you work to support the mission of the IAEA, particularly in the realm of verification and nuclear security?

Answer. The IAEA, which has an annual budget (for 2013) of \$472 million, is properly tasked and makes an enormous contribution to peace, prosperity, and international security. The Agency performs a critical safeguards mission, particularly in its noncompliance investigations in Iran and Syria. The Agency also remains focused on the DPRK's nuclear file and maintains a readiness to play an essential role in the verifiable denuclearization of the Korean Peninsula. Working with member states, the IAEA also developed a comprehensive Action Plan on Nuclear Safety to guide its member states to strengthen nuclear safety worldwide in the wake of the Fukushima disaster, and plays a critical role in supporting the enhanced nuclear security agenda of the Nuclear Security summits to combat the danger of nuclear and radiological terrorism. In addition, the IAEA promotes the responsible development of nuclear energy and the knowledge and application of nuclear techniques in areas such as health care and nutrition, food security, the environment, and water resource management.

The United States is making every effort to ensure that the IAEA has appropriate resources needed to meet these critical needs. Working with the IAEA leadership and member states, we approved increases to the IAEA budget over the last several years. The increases are modest but noteworthy in light of fiscal constraints around the world and the U.S. policy of zero nominal growth funding for international organizations. In 2013, the U.S. assessment for the IAEA regular budget was about \$112 million. During this same year, we provided the IAEA with a voluntary contribution of about \$90 million, with the largest share of funds (about \$43 million) supporting the IAEA's safeguards mandate. These voluntary contributions were essential for the IAEA to carry out one of its most complex projects ever, to replace and expand its safeguards analytical laboratory capabilities and improve its capability to detect clandestine nuclear programs. Also during 2013, the United States provided \$9 million to the IAEA's nuclear security program, with a strong focus on supporting the IAEA's efforts to strengthen the physical protection of nuclear materials and facilities, strengthening security over nuclear and other radioactive materials that pose a terrorist concern, strengthening regulatory infrastructures and detection of malicious activities, and promoting related IAEA guidelines and international agreements. Whether through the regular budget or voluntary contributions, we will continue working with Director General Amano and major donor states to ensure the IAEA is sufficiently resourced to carry out its essential safeguards and security work.

Question #3. What role do civilian nuclear cooperation ("123") Agreements have in promoting U.S. nonproliferation policy? Should these agreements require countries that do not have indigenous enrichment or reprocessing facilities to pledge not to build them on their territory? Why or why not?

Answer. U.S. nuclear cooperation agreements (123 Agreements) establish the nonproliferation conditions required by law for the conduct of supply of source and special fissionable material and equipment to the nuclear programs of States with which we have chosen to cooperate. Our 123 Agreements are the strongest such agreements in the world; no government requires more stringent nonproliferation conditions.

The United States has a longstanding policy that seeks to limit the further spread of enrichment technologies. We believe there are many ways to advance global nonproliferation efforts and international security and to achieve the lowest number of sensitive fuel cycle facilities throughout the world, including adherence to the Nuclear Suppliers Group Guidelines, implementation of an International Atomic Energy Agency's (IAEA) Additional Protocol to a state's safeguards agreement, and support for the IAEA Fuel Bank and other fuel assurance mechanisms. 123 Agreements are an additional tool to advance clear U.S. national security interests in achieving the lowest number of sensitive fuel cycle facilities and technologies.

Question #4. Despite the nuclear crisis at the Fukushima plant in Japan, many analysts predict nuclear energy will play a vital role in meeting the world's energy

needs during the 21st century. This will be especially true in Asia and Latin America with their growing economies and energy needs.

- ◆ How should the United States balance its goals of ensuring non-nuclear-weapon states' access to the peaceful use of nuclear energy with the nonproliferation goal of preventing the further spread of weapons technology?

Answer. The United States has a multitude of bilateral and multilateral activities that are aimed at assisting non-nuclear-weapon states in complying with their obligations under the NPT to obtain access to the peaceful uses of nuclear energy while at the same time achieving U.S. nonproliferation goals. We have worked with both existing and emerging nuclear programs in anticipation of a growth in civil nuclear power programs. We have been working for decades with the International Atomic Energy Agency and fellow member states to achieve those mutual objectives, supporting programs in safety, security, safety, and infrastructure development.

In addition, we, with our fellow partners in the G8 Nuclear Safety and Security Group, have worked toward similar goals. The Department of Energy, through its technical cooperation programs, not only provides technical assistance in the use of nuclear power, but promotes nonproliferation activities and actions. The Nuclear Regulatory Commission, through its bilateral programs, also strives to ensure that nations beginning or expanding civil nuclear power programs do so with an emphasis on safety and security of nuclear material and facilities technology.

The combination of these bilateral and multilateral efforts work to balance the goals of ensuring non-nuclear-weapon states' access to the peaceful use of nuclear energy with the nonproliferation goal of preventing the further spread of weapons technology.

Question #5. Does the Obama administration still plan to pursue further arms control negotiations with Russia? Does Russia support further negotiations and continued verifiable reductions in nuclear weapons? What is the current status of these negotiations?

Answer. The Obama administration is seeking further negotiated reductions with Russia in our nuclear arsenals so we can continue to move beyond cold war postures. Any specific discussions on nonstrategic nuclear weapons will take place in the context of continued close consultation with U.S. allies and partners.

At the recent "2+2" meeting with Russia, Secretary Kerry, Secretary Hagel, Russian Foreign Minister Sergey Lavrov, and Defense Minister Sergey Shoygu discussed strengthening strategic stability by implementing successfully the New START Treaty and exploring the possibilities of further nuclear reductions. These discussions are ongoing and taking place in other working groups, such as the U.S.-Russia Bilateral Presidential Commission Working Group on Arms Control and International Security, which I cochair with Russian Deputy Foreign Minister Sergey Ryabkov.

Question #6. Dismantling Syria's chemical stocks would be challenging in the best of circumstances, and Syria is anything but—amid the recent diplomatic negotiations with Russia, Syria's civil war has shown no signs of abating. Amy Smithson, a chemical weapons expert at the Monterey Institute of International Studies has said that "the known (chemical weapons) sites are actually in zones of conflict where the battle lines are changing literally on a day-to-day basis."

- ◆ Given the enormity of challenges associated with such an endeavor, how would you define success and how would you assess our prospects for achieving success? What responsibilities will the T-bureau have in efforts to eliminate Syria's chemical weapons and related facilities? What are the major technical challenges to the successful completion of the framework agreement? Have decisions been reached about whether the chemical weapons will be destroyed in Syria or outside the country?

Answer. The Framework for the elimination of Syrian chemical weapons calls for the internationally verified destruction of Syria's chemical weapons agents and munitions, as well as storage, production, research, and development facilities. The United States and Russia have agreed that the goal for completing the destruction of all chemical weapons production and mixing/filling equipment is by November 2013. The goal for the removal and destruction of Syrian chemical weapons is in the first half of 2014. There will be technical challenges along the way, but the United States and Russia believe that these target dates are achievable. The United States and Russia are assessing the modalities and logistical requirements of destruction activities, including whether the chemical weapons will be destroyed inside or outside of Syria.

The Arms Control, Verification and Compliance Bureau will play a role through its oversight of the U.S. Mission to the Organization for the Prohibition of Chemical

Weapons (OPCW) and will be tasked with assessing Syria's compliance with its obligations. The International Security and Nonproliferation Bureau will have the lead in the Department in assisting in the destruction efforts related to Syria's chemical weapons.

Question #7. Despite recent diplomatic overtures by Iran, it has continued to add enrichment capabilities including 300 second-generation centrifuges. How quickly do you estimate Iran could break out if it was determined to do so? What are the minimal requirements of any agreement with Iran? Is it the U.S. position that Iran needs to comply with the four U.N. Security Council resolutions? Should Iran close the Fordow facility? What locations do we need access to in order to verify the peaceful purpose of Iran's nuclear program? What more can the administration do to tighten the screws on Iran? How can we communicate that the use of force against Iran remains a credible option for bringing Iran into compliance with its international obligation?

Answer. The United States remains concerned about the Iranian nuclear program. We have made clear Iran must comply with its international nuclear obligations, including relevant resolutions of the United Nations Security Council and its International Atomic Energy Agency (IAEA) Safeguards Agreement. In addition, Iran must meet the requirements of the IAEA Board of Governors and cooperate fully and without delay with the IAEA on all outstanding issues, including by providing access to all sites, equipment, persons, and documents requested by the Agency.

The United States remains committed to the dual-track policy of engagement and pressure on Iran in pursuit of a diplomatic resolution to Iran's nuclear program. In his address before the United Nations General Assembly, President Obama again made clear "that America prefers to resolve our concerns over Iran's nuclear program peacefully, although we are determined to prevent Iran from developing a nuclear weapon." Following the P5+1 ministerial in New York on September 26, Secretary Kerry and Iranian Foreign Minister Zarif met briefly. In the meeting Secretary Kerry and FM Zarif agreed to try to continue the process and make concrete progress in answering the international community's questions about Iran's nuclear program. The President and his administration have been consistent in their message: the window to resolve this issue diplomatically will not remain open indefinitely, and all options are on the table.

We are confident that the international community would have sufficient time to respond to any Iranian breakout effort. We continue to monitor closely Iran's nuclear program for any signs that the regime has made an explicit decision to pursue a nuclear weapon or is operating secret facilities for the covert production of enriched uranium.

Thanks to the efforts of Congress and President Obama's administration, international sanctions have been instrumental in bringing Iran back to the negotiating table, and Iran must continue to face pressure until it takes concrete actions to comply with its international nuclear obligations. The economy was a central issue in Iran's recent Presidential elections and President Rouhani received from the Iranian people a mandate to pursue a more moderate course.

The P5+1 meets with Iran in October and we will continue our efforts and determine Iran's willingness to engage substantially and seriously, and hope we can get concrete results that will address the international community's concerns.

RESPONSES OF HON. ROSE E. GOTTEMOELLER TO QUESTIONS SUBMITTED
BY SENATOR BOB CORKER

Question #1. There are a number of significant concerns with regards to the Russian track record of compliance with their current arms control obligations. Why should the United States engage in negotiations on yet another arms control agreement while the Russians are less than sincere about their compliance with current commitments?

Answer. Noncompliance with treaty obligations is a very serious issue and I believe that consequences related to noncompliance should be appropriate to the specific circumstances. When specific questions arise about a country's treaty implementation, decisions about whether those issues constitute noncompliance require a careful process, which can include diplomatic engagement with the country concerned and an interagency process to assess the facts and circumstances. Whether and how those issues do or should affect future agreements is best evaluated on a case-by-case basis, taking into account the national security benefit of the proposed agreement and the assessed likelihood and risks of noncompliance. Treaty compliance is essential for creating the stability and predictability that aids international

security efforts. Our national security interests have been, and will continue to be, the primary consideration in any future arms control negotiations and in deciding whether to become a party to any future agreement. We do not negotiate such agreements as “a favor” to other countries.

Question #2. Do you support the vision of a world free of nuclear weapons? Is this vision a realistic goal, or is it a tool to spur further negotiations on arms control measures and further reductions in nuclear forces? Have any of the nuclear weapons states endorsed this goal?

Answer. America’s commitment to seek the peace and security of a world without nuclear weapons is not only a long-term policy goal of the Obama administration, but a goal shared by the 189 signatories of the Treaty on the Non-Proliferation of Nuclear Weapons (the NPT), including all of the treaty-recognized nuclear-weapon states. Article VI of the NPT commits all parties to pursue good faith negotiations on measures leading to an end to the nuclear arms race and to nuclear disarmament.

This goal will not be reached quickly, and as long as nuclear weapons exist, we will maintain a safe, secure, and effective arsenal to deter any adversary and guarantee that defense to our allies.

The administration continues its efforts to advance this policy goal.

In addition to our bilateral efforts with Russia, the United States is engaged with the other NPT nuclear-weapon states, or the P5, to review their progress toward fulfilling NPT Article VI obligations and 2010 NPT Action Plan commitments to accelerate steps leading to nuclear disarmament. The P5 are engaging in regularized dialogue on nuclear weapons-related issues to an extent unseen in prior years. Through this process, the P5 have reaffirmed their commitment to nuclear disarmament. P5 engagement is a long-term investment designed to build trust and create a stronger foundation for concrete progress on nuclear disarmament and for the work that lies ahead of us to realize a world without nuclear weapons.

Question #3. Ms. Gottomoeller, the U.N. Security Council will approve a resolution to oblige the Syrians to dismantle their chemical weapons stockpile without an enforcement mechanism built in. How does the administration intend to hold Syria accountable in the case of noncompliance with the agreement, recognizing further UNSC resolutions are likely to be vetoed by the Russians? What specific contingency plans does the administration have ready to be utilized to compel Syrian compliance or respond to noncompliance?

Answer. On September 27, the Security Council will consider a binding, enforceable, and verifiable resolution, reinforcing an expected decision of the Executive Council of the Organization for the Prohibition of Chemical Weapons, regarding the elimination of Syria’s chemical weapons program, and building on the U.S.-Russia Framework reached in Geneva on September 14. The resolution would impose a legally binding obligation on the Syrian regime to eliminate its chemical weapons program. It includes a strong verification mechanism, and makes clear that in the event of Syrian noncompliance, or subsequent chemical weapons use, the Security Council will impose measures under Chapter VII of the U.N. Charter.

Question #4. President Obama recently waived the application of the section 40(a) of the Arms Export Control Act in order to provide support to the Syrian opposition to counter the effects of any future chemical weapons attack.

- ◆ Can this waiver also be used to provide lethal assistance to the opposition? Why or why not?
- ◆ Does the administration intend to submit additional waivers in order to provide training and lethal equipment to the Syrian opposition? Why or why not?

Answer. The Presidential Determination to waive restrictions in sections 40 and 40A of the Arms Export Control Act briefed to Congress on September 20 does not change our current policy regarding lethal assistance to the Syrian opposition. The waiver allows us to overcome certain restrictions under the Arms Export Control Act and is intended to allow the State Department to approve a license or other authorization or transfer of defense articles and services to vetted members of the Syrian opposition forces, organizations implementing U.S. Government programs inside or related to Syria, and international organizations.

This waiver would allow assistance that, while preventing the preparation, use, or proliferation of chemical weapons, would provide protection, training, and equipment to aid in the inspection and securing of Syria’s chemical weapons sites. On September 27, we intend to provide two reports to Congress describing proposed licenses for the export of CW-related personal protective equipment and training to international and nongovernmental organizations. We will continue to report future

transactions to Congress as we work together with the international community to facilitate the elimination of Syria's CW stockpiles and counter the threat that CW poses to the Syrian people.

The waiver would cover the types of nonlethal assistance described in the memorandum of justification provided to Congress along with the Presidential Determination. At this time, the State Department is providing only nonlethal assistance the Syrian opposition and the Supreme Military Council. This includes support that the Supreme Military Council has requested, such as food, medical equipment, communications gear, and vehicles that are essential to enhancing their capabilities to themselves against a repressive regime. The success of their efforts is critical to convincing the Assad regime to negotiate a move to a transitional government that represents all Syrians, impartially delivers government services, and marginalizes actors associated with violent extremist ideologies.

We recognize fully the enormous challenge of identifying and sorting multiple armed actors in such a complex environment. We will continue to use every resource at our disposal to prevent our assistance from going to persons or organizations that threaten the United States, our interests, our partners, or international security.

Question #5. The administration has recently responded to overtures from the Iranian Government to enter into new negotiations on the Iranian nuclear program. News sources indicate the Iranians presented some initial proposals. What proposals did the Iranians make?

Answer. President Obama and Secretary Kerry have long supported engaging Iran whether through bilateral discussion or in coordination with the P5+1 countries—and both believe it is worth testing the potential for a diplomatic resolution to the international community's concerns over Iran's nuclear program. While we do not anticipate that any substantive issues will be resolved later this week during the P5+1 ministerial meeting in New York, we are hopeful that we can continue to chart a path forward. We are looking forward to having the political directors of the P5+1 meet in October for substantive discussions with Iran. It would be premature to comment on the Iranian proposals before we have had a chance to review them in detail.

Question #6. If the P5+1 is to agree to another round of negotiations with the Iranians on their nuclear program should the United States enter such negotiations with hard outcomes on the front end that are backed by consequences if they are not reached? What is an appropriate timeline for allowing a new round of negotiations to bear fruit?

Answer. President Obama and Secretary Kerry have long supported engaging Iran whether through bilateral discussion or in coordination with the P5+1 countries—and both believe it is worth testing the potential for a diplomatic resolution to the international community's concerns over Iran's nuclear program. While we do not anticipate that any substantive issues will be resolved later this week during the P5+1 ministerial meeting in New York, we are hopeful that we can continue to chart a path forward. We are looking forward to having the political directors of the P5+1 meet in October for substantive discussions with Iran. It would be premature to comment on the Iranian proposals before we have had a chance to review them in detail. The steps taken by the Iranians in the weeks ahead will show how serious they are, and they will determine how successful these efforts will be and how long the process will take.

Question #7. What is the latest assessment of the earliest time at which the Iranians could build a nuclear weapon? A deployable nuclear weapon?

Answer. The intelligence community maintains a number of assessments regarding the potential timeframes by which Iran can build a nuclear device, or a deployable nuclear weapon, and provides briefings on those assessments.

Iran does continue to develop technical expertise in uranium enrichment, nuclear reactors, and other elements of the nuclear fuel cycle. However, we are confident that the international community would have sufficient time to respond to any Iranian breakout effort. We continue to monitor closely Iran's nuclear program for any signs that the regime has made an explicit decision to pursue a nuclear weapon or is operating secret facilities for the covert production of enriched uranium.

Question #8. What interim steps to addressing the Iranian nuclear program would the United States Government agree to accept as good faith gestures that would lead to a rollback or suspension of certain sanctions?

Answer. President Obama and Secretary Kerry have long supported engaging Iran whether through bilateral discussion or in coordination with the P5+1 countries—and both believe it is worth testing the potential for a diplomatic resolution

to the international community's concerns over Iran's nuclear program. While we do not anticipate that any substantive issues will be resolved later this week during the P5+1 ministerial meeting in New York, we are hopeful that we can continue to chart a path forward. We are looking forward to having the political directors of the P5+1 meet in October for substantive discussions with Iran. At this point, it would be premature to comment on what sanctions relief would be appropriate for various confidence building measures, and we cannot prematurely consider lifting sanctions on Iran.

Question #9. More than 2 years have passed since the Italian Government requested a license to purchase missiles and other requirements for arming the Italian predator unmanned systems. Since that time, the administration's interagency policymaking process has been engaged in building a policy that will clarify when, to whom, and under what conditions the United States may consider exporting systems controlled under the Missile Technology Control Regime categories 1 and 2, particularly armed systems. What is the status of the development of such a policy? What is the current timeline for completing this policy?

Answer. The State Department carefully scrutinizes potential exports of UAVs on a case-by-case basis, particularly armed UAVs, as well as the technology that could contribute to UAV development. Our consideration takes into account the full spectrum of U.S. interests, including development of our partners' capacity to contribute to international security, multilateral commitments such as the Missile Technology Control Regime (MTCR), and human rights.

A broad review of UAV export policy is under way; while no date is set for its conclusion, I want to be clear that this is not an open-ended review. We are working with the Department of Defense and others to complete the review promptly, and will brief the committee when we finalize our review.

Question #10. Countries emerging from conflict, such as Iraq and Libya, may demonstrate great need in modernizing their military forces and aligning their capabilities with U.S. security interests. Under what circumstances should we export U.S. defense technology to such countries when we have significant policy disputes?

Answer. Defense transfers are a means to an end: they enable us to work with partner nations to build their capacity to defend their own borders and conduct security operations of mutual interest, such as counterterrorism, while also providing an opening for us to enter into a far wider range of policy discussions. The export of U.S. defense technology—to any country, not just those with whom we have significant policy disputes—should therefore be made only through a case-by-case consideration of the full spectrum of U.S. national security interests, including the legitimate defense needs of our allies and partners, nonproliferation, counterterrorism issues, and human rights are given detailed consideration. This is the crux of the U.S. Conventional Arms Transfer Policy, which the State Department has the lead in implementing. If I am confirmed, I will ensure that such consideration to all transfers continues.

Question #11. What is the administration's position on granting advanced programmatic consent to reprocess spent fuel and enrich uranium to South Korea in ongoing negotiations on a new nuclear cooperation agreement?

Answer. We are negotiating a successor agreement for nuclear cooperation with the Republic of Korea. While we do not comment on the details of ongoing negotiations, we are not contemplating granting advance programmatic consent to reprocess spent fuel or enrich uranium to the Republic of Korea. Pursuant to the requirements of the Atomic Energy Act of 1954, as amended, all U.S. peaceful nuclear cooperation agreements require partner countries to provide to the United States rights to consent to enrichment or reprocessing of nuclear material transferred from the United States or produced by equipment or through nuclear material transferred from the United States.

Question #12. Broadly speaking, is the administration committed to pursuing only those 123 Agreements that adhere to the "gold standard"? Under what circumstances might the administration entertain requests for enrichment and reprocessing technology?

Answer. U.S. nuclear cooperation agreements (123 Agreements) establish the nonproliferation conditions required by law for the conduct of supply of source and special fissionable material and equipment to the nuclear programs of States with which we have chosen to cooperate. Our 123 Agreements are the strongest such agreements in the world; no government requires more stringent nonproliferation conditions.

The United States has a longstanding policy that seeks to limit the further spread of enrichment technologies. We believe there are many ways to advance global non-proliferation efforts and international security and to achieve the lowest number of sensitive fuel cycle facilities throughout the world, including adherence to the Nuclear Supplier Group Guidelines, implementation of an International Atomic Energy Agency's (IAEA) Additional Protocol to a state's safeguards agreement and support for the IAEA Fuel Bank and other fuel assurance mechanisms. 123 Agreements are an additional tool to advance clear U.S. national security interests in achieving the lowest number of sensitive fuel cycle facilities and technologies.

RESPONSES OF FRANK ROSE TO QUESTIONS SUBMITTED BY SENATOR BOB CORKER

Question. There are a number of significant concerns with regards to the Russian track record of compliance with their current arms control obligations. Why should the United States engage in negotiations on yet another arms control agreement while the Russians are less than sincere about their compliance with current commitments?

Answer. Noncompliance with treaty obligations is a very serious issue and I believe that consequences related to noncompliance should be appropriate to the specific circumstances. When specific questions arise about a country's treaty implementation, decisions about whether those issues constitute noncompliance require a careful process, which can include diplomatic engagement with the country concerned and an interagency process to assess the facts and circumstances. Whether and how those issues do or should affect future agreements is best evaluated on a case-by-case basis, taking into account the national security benefit of the proposed agreement and the assessed likelihood and risks of noncompliance. Treaty compliance is essential for creating the stability and predictability that aids international security efforts. Our national security interests have been and will continue to be the primary consideration in any future arms control negotiations and in deciding whether to become a party to any future agreement. We do not negotiate such agreements as "a favor" to other countries.

Question. Do you support the vision of a world free of nuclear weapons? Is this vision a realistic goal, or is it a tool to spur further negotiations on arms control measures and further reductions in nuclear forces? Have any of the nuclear weapon states endorsed this goal?

Answer. America's commitment to seek the peace and security of a world without nuclear weapons is not only a long-term policy goal of the administration, but a goal shared by the 189 signatories of the Treaty on the Non-Proliferation of Nuclear Weapons (the NPT), including all of the treaty-recognized nuclear-weapon states. Article VI of the NPT commits all parties to pursue good faith negotiations on measures leading to an end to the nuclear arms race and to nuclear disarmament.

This goal will not be reached quickly, and as long as nuclear weapons exist, we will maintain a safe, secure, and effective arsenal to deter any adversary and guarantee that defense to our allies.

The administration continues its efforts to advance this policy goal.

In addition to our bilateral efforts with Russia, the United States is engaged with the other NPT nuclear-weapon states, or the P5, to review their progress toward fulfilling NPT Article VI obligations and 2010 NPT Action Plan commitments to accelerate steps leading to nuclear disarmament. The P5 are engaging in regularized dialogue on nuclear weapons-related issues to an extent unseen in prior years. Through this process, the P5 have reaffirmed their commitment to nuclear disarmament. P5 engagement is a long-term investment designed to build trust and create a stronger foundation for concrete progress on nuclear disarmament and for the work that lies ahead of us to realize a world without nuclear weapons.

Question. The administration recently concluded a framework agreement with Russia to achieve the dismantlement of the Syrian chemical weapons stockpile and supporting infrastructure. What is the status of the review of the initial declaration by the Organization for the Prohibition of Chemical Weapons (OPCW) and when can we expect the Executive Council to conclude an agreement with the Syrian Government to engage in a program of dismantlement?

Answer. We understand from the OPCW that Syria has provided an initial document to the OPCW regarding its chemical weapons stockpile and sites. The United States, along with other CWC State Parties, will be making a careful and thorough review of this initial document. The United States and other CWC State Parties will want to clarify any discrepancies we note with the Syrians. Once we have more

information, the Department of State will be pleased to brief the committee. An accurate list is vital to ensure the effective implementation of the Geneva Framework. Syria is required to provide a plan of destruction within 30 days after adoption of the Executive Council decision, and that plan will have to be evaluated carefully by the OPCW and CWC States Parties.

Question. What role will the State Department play in implementing and monitoring the agreement on the Syrian chemical weapons stockpile? Does the OPCW have the resources necessary to assist the Syrian regime in consolidating and eliminating its stockpile on the timeline envisioned by the United States and Russia?

Answer. The Bureaus of Arms Control, Verification and Compliance (AVC) and International Security and Nonproliferation (ISN) in the Department of State will play critical roles in implementing the framework in Syria. AVC will ensure the effective implementation of the framework, along with verification and compliance of Syria with the Chemical Weapons Convention (CWC). ISN, working with inter-agency colleagues, will ensure that the OPCW has sufficient resources for the mission and will work with foreign partners to ensure the verified destruction of Syria's chemical weapons.

In addition, the United States is actively working with international partners to ensure that the OPCW has sufficient voluntary funds to carry out its vital inspection and verification functions. And we are working with the international community to provide resources and support to achieve the ultimate goal of eliminating Syria's chemical weapons program on the timeline envisioned by the United States and Russia.

Syria is not a normal situation, and we are utilizing the capacities of both the United Nations and the OPCW to address its unique circumstances. CWC implementation in Syria will be put into effect by a binding, enforceable, and verifiable United Nations Security Council resolution reinforcing the OPCW Executive Council (EC) decision regarding the elimination of Syria's CW program and the U.S.-Russia Framework reached in Geneva. In general, we intend to have a robust program of CW destruction and verification on an accelerated schedule, and the role of the Syrian Government in this exercise will be monitored closely—we continue to work out the details with Russia, the United Nations, and the OPCW.

Question. Mr. Rose, you indicated that the Bureau of Arms Control, Verification and Compliance would be responsible for assessing Syria's compliance with the Chemical Weapons Convention. When your Bureau assesses Syria's compliance, will it be based on the timelines outlined within the Chemical Weapons Convention or the U.S.-Russia Framework Agreement?

Answer. Yes. We will assess Syrian compliance with the OPCW Executive Council (EC) decision and the accompanying United Nations Security Council resolution, which give effect to the procedures and timelines outlined in the Geneva Framework. And, of course, we will assess Syria's compliance with its obligations under the Chemical Weapons Convention (CWC), as Syria will be a State Party as of October 14, 2013.

RESPONSES OF HON. ROSE E. GOTTEMOELLER TO QUESTIONS SUBMITTED
BY SENATOR JAMES E. RISCH

Question. We have had a number of classified briefings on Russian compliance with international agreements. How would you characterize Russian attitudes toward the INF Treaty (both in their press statements and through diplomatic channels)? Do you believe that we should call compliance issues like we see them, both publically and in classified settings?

Answer. This year both countries marked the INF Treaty's 25th year of implementation. I believe this milestone reflects a recognition by both countries of the positive contribution of the treaty to international security. At the same time, Russia's concerns about other countries developing INF-range missiles has led it to propose at the United Nations the concept of a new multilateral treaty that, if adopted, could result in a global ban on this class of weapons.

I do believe we should call compliance issues "like we see them," as we do in the compliance report we send to Congress every year in both unclassified and classified versions. These reports provide a full picture, within the constraints of their security classification, of what the compliance situation is with respect to agreements and commitments to which the United States is a participating state. The administration also has briefed Members of Congress in response to specific inquiries, and I am available to provide briefings on any particular concerns.

Question. Then Chairman Kerry told members of the SFRC that, “If we’re going to have treaties with people, we’ve got to adhere to them. We’re not going to pass another treaty in the U.S. Senate if our colleagues are sitting around up here knowing that somebody is cheating.” Ms. Gottemoeller, is that still the policy of the administration?

Answer. It is the policy of the administration to take compliance issues very seriously and to seek to resolve them where possible. Consequences of noncompliance with treaty obligations should be appropriate to the specific circumstances. When specific questions arise about a country’s treaty implementation, decisions can only be made about whether those issues constitute noncompliance after a careful process, which includes diplomatic work and serious interagency consideration. It is appropriate to consider whether those issues do or should affect future agreements. It is U.S. policy to only enter into treaties and agreements that are in our national security interest.

Question. Are both Russia and China adhering to the CTBT as we define those obligations?

Answer. The Comprehensive Nuclear Test-Ban Treaty has not yet entered into force. The only obligation on China, as a signatory, and Russia, as a State Party, to the treaty prior to entry into force is to refrain from acts which would defeat the object and purpose of the treaty. However, the full treaty regime, including its verification and onsite inspection provisions, will be implemented only if the treaty is in force. Regarding specific assessments of compliance, I refer you to the Annual Report to Congress on Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments.

Question. Some believe the administration should circumvent the Senate and pursue arms control reductions outside of the normal treaty route and often point to the Presidential Nuclear Initiatives (or PNIs) of the early 1990s. They say, “If Bush could do it that way why shouldn’t Obama be able to do the same thing?” Isn’t it true that Russia has never really lived up to many of its PNI commitments?

Answer. For issues relating to Russia’s compliance with treaties, agreements, and commitments such as the PNIs, I refer you to the Annual Report to Congress on Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments.

Question. Executive agreements by their nature do not have stringent verification and compliance mechanisms like treaties. How does Russian adherence to its PNI commitments impact the administration’s decisionmaking when it comes to negotiating Arms Control Agreements with the Russian Federation?

Answer. Many factors go into the consideration of what form of agreement is both legally available and best serves U.S. national security interests when it comes to pursuing an agreement with another country. With respect to undertaking a mutual obligation to reduce nuclear forces, verification is a very important consideration. Our national security interests have been, and will continue to be, the primary consideration in any future arms control negotiations.

Question. President Obama came to the Congress for an AUMF on Syria because, according to him, having congressional buy-in gives an action in the international arena more legitimacy and strengthens our hand in that arena. Does he feel the same about Arms Control Agreements? If so, why won’t he commit to us to go the treaty route and not the Executive agreement route?

Answer. The Obama administration is seeking further negotiated reductions with Russia in our nuclear arsenals so we can continue to move beyond cold war postures. As Secretary Kerry stated in his September 18 letter to Senator Corker, we will pursue a treaty on nuclear reductions with the Russian Federation.

Question. According to the State Department’s most recent CWC compliance report, the State Department cannot certify that Russia is in compliance with its CWC commitments. How can we trust Russia to help bring Syria into full compliance with the CWC, when Russia itself is not in full compliance with the CWC?

Answer. While we expect Russia to do its part in keeping Syria on track, holding Syria to its international obligations—including under the CWC and the decisions by the Organization for the Prohibition of Chemical Weapons Executive Council and the United Nations Security Council—is not solely a Russian responsibility but one the international community shares. Syria is not a normal situation, this effort is unique and it will take the international community, not just Russia, to bring about the elimination of Syria’s CW so the regime can never again use chemical weapons against the Syrian people.

Question. What is the administration's policy for sharing intelligence with NATO on Arms Control Compliance, specifically vis-a-vis the INF Treaty? Can you assure the committee we have fully and completely briefed the alliance and not just a few NATO partners?

Answer. The sharing of intelligence, not only with NATO but also with other allies and friends, is dependent on the sensitivity of the intelligence, as well as the sources and methods used in gaining that intelligence. Accordingly, determining what intelligence can be shared, when it can be shared, and with whom, is dependent on many factors that are considered on a case-by-case basis.

Question. On June 14, 2013, SSCI members (including Senator Rubio and myself) sent a classified letter to then NSA Donilon on a Pakistan issue. The subject matter of this letter addresses an issue that falls within your portfolio. Will you engage with your colleagues at the NSS to determine when we will receive an answer to our letter? What actions will you take and what actions will you advise Secretary Kerry to take on the subject of this issue? I understand that the answer to this question may require a classified response.

Answer. The NSS offered a briefing to Vice Chairman Chambliss and the SSCI in response to the letter. The Department of State stands ready to lead an inter-agency team to brief interested committee members.

RESPONSES OF HON. ROSE E. GOTTEMOELLER TO QUESTIONS SUBMITTED
BY SENATOR MARCO RUBIO

Question. If Russia does not agree to further limitations on strategic nuclear weapons does the administration pledge to not make militarily significant unilateral reductions? Is there any other option for such reductions to be made other than through a treaty subject to the advice and consent of the U.S. Senate?

Answer. As Secretary Kerry stated in his September 18 letter to Senator Corker, we will pursue a treaty on nuclear reductions with the Russian Federation. I have the utmost respect for the Senate's role in the treaty process. I am mindful of the language in the Arms Control and Disarmament Act, and similar language in other legislation. As always, the administration will follow the Constitution and laws of the United States. If confirmed, I will continue to consult with the Congress on arms control-related issues.

Question. Would a one-third reduction in our strategic nuclear weapons be considered militarily significant?

Answer. Yes, I believe such a reduction would be considered to be "militarily significant" as that term is used in the Arms Control and Disarmament Act.

Question. Is Russia currently in compliance with the Intermediate-Range Nuclear Forces (INF) Treaty?

Answer. Treaty compliance assessments are provided in the Annual Report to Congress on Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments. For further specific information on individual compliance assessments, I am available to provide you with a briefing.

Question. Do you believe the public has a right to know whether or not the U.S. Government believes Russia is in violation of or noncompliance with the Intermediate Range Nuclear Forces Treaty? If so, at what point will you be definitively able to publicly state whether Russia is in compliance?

Answer. The public has the right to be informed of matters relating to compliance with arms control treaties and agreements. That is a primary reason for the production of an unclassified version of the Annual Report to Congress on Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments. This administration has produced and made publicly available an unclassified Compliance Report every year since taking office. These reports provide the public with an understanding, within the constraints of security classifications, of U.S. assessments of the compliance of our treaty partners with arms control treaties and agreements to which the United States is a party.

In addition to the information provided in the unclassified and classified compliance reports, we are always prepared to brief Members of Congress to ensure that you are able to execute your oversight responsibilities on behalf of the American people.

Question. What indication, if any, do we have that Russia is interested in further nuclear reductions or in a follow-on agreement to New START for reasons other than limiting U.S. capabilities?

Answer. At the August 9, 2013, “2+2” meeting with Russia, Secretary Kerry, Secretary Hagel, Russian Foreign Minister Sergey Lavrov, and Defense Minister Sergey Shoygu discussed strengthening strategic stability by implementing successfully the New START Treaty and exploring the possibilities of further nuclear reductions. These discussions are ongoing and taking place in other working groups, such as the U.S.-Russia Bilateral Presidential Commission Working Group on Arms Control and International Security, which I cochair with Russian Deputy Foreign Minister Sergey Ryabkov.

Question. Has Russia shown any willingness to discuss limits on nonstrategic nuclear weapons?

Answer. The administration is conducting a bilateral dialogue with Russia on strategic stability and consulting with NATO allies to lay the groundwork for future negotiations to address nonstrategic nuclear weapons. We are pursuing discussions in the U.S.-Russia Bilateral Presidential Commission Working Group on Arms Control and International Security, which I cochair with Russian Deputy Foreign Minister Sergey Ryabkov. With NATO allies, we are developing concepts for transparency on Russian and U.S. nonstrategic nuclear weapons in Europe as an important first step toward reductions in those weapons.

Pursuant to Condition 12(B) of the New Start Resolution of Ratification, the State Department reports annually on our efforts to seek to initiate negotiations on NSNW with the Russian Federation. The latest report was delivered to the Senate on February 1, 2013.

Question. What are the factors the United States should consider before concluding civilian nuclear cooperation (“123”) agreements that do not include commitments to limit indigenous enrichment or reprocessing capabilities similar to those contained in the agreement with the United Arab Emirates?

Answer. U.S. nuclear cooperation agreements (123 Agreements) establish the nonproliferation conditions required by law for the conduct of supply of source and special fissionable material and equipment to the nuclear programs of States with which we have chosen to cooperate. Our 123 Agreements are the strongest such agreements in the world; no government requires more stringent nonproliferation conditions.

The United States has a longstanding policy that seeks to limit the further spread of enrichment and reprocessing technologies. We believe that there are many ways to advance global nonproliferation efforts and international security and to achieve the lowest number of sensitive fuel cycle facilities throughout the world, including adherence to the Nuclear Suppliers Group Guidelines, implementation of an International Atomic Energy Agency’s (IAEA) Additional Protocol to a state’s safeguards agreement, and support for the IAEA Fuel Bank and other fuel assurance mechanisms. 123 Agreements are an additional tool to advance clear U.S. national security interests in achieving the lowest number of sensitive fuel cycle facilities and technologies.

Question. What is the status of discussions with Vietnam regarding a nuclear cooperation agreement? Will this agreement secure Vietnam’s promise not to make nuclear fuel on their soil? Do you pledge to consult with Congress before you initial any agreement with Vietnam to make sure it does not undermine negotiations to renew nuclear cooperation with South Korea?

Answer. The 123 Agreement negotiation process with Vietnam is well advanced. Throughout these negotiations, we have consistently stressed to Vietnamese officials the longstanding U.S. policy that seeks to limit the further spread of enrichment and reprocessing technologies and the importance of continuing its strong record of nonproliferation commitments. Vietnam has brought into force recently its Additional Protocol to its International Atomic Energy Agency (IAEA) safeguards agreement and ratified the 2005 amendment to the Convention on the Physical Protection of Nuclear Material. We also have discussed supplemental nonproliferation commitments with Vietnam.

The administration intends to comply fully with the requirement for consultation with Congress contained in the Atomic Energy Act of 1954, as amended.

Question. Nuclear analysts and Japanese nuclear experts argue that the United States-Japanese nuclear cooperation agreement, which is to terminate in 2015, can be interpreted to read in a manner that would make it unnecessary for the United

States and Japan ever to have to renew the agreement. Does the State Department share this view?

Answer. The Agreement for Cooperation Between the Government of the United States of America and the Government of Japan Concerning Peaceful Uses of Nuclear Energy entered into force on July 17, 1988. The terms of the agreement provide that it shall remain in force for a period of 30 years, and shall continue in force thereafter until terminated. Either party may terminate the agreement at the end of the initial 30-year period or at any time thereafter by giving 6 months written notice to the other party. Accordingly, in the absence of any action by either party to terminate the agreement, it remains in force indefinitely.

Question. President Obama recently said to the U.N. General Assembly that “we respect the right of the Iranian people to access peaceful nuclear energy.” Does this include the right to uranium enrichment or plutonium reprocessing technology?

Answer. States parties in compliance with their Nuclear Non-Proliferation Treaty obligations have the right to pursue nuclear energy for peaceful purposes under the treaty, but with that right come responsibilities. As President Obama stated in his address to the U.N. General Assembly, “We insist that the Iranian Government meet its responsibilities under the Nuclear Non-Proliferation Treaty and U.N. Security Council resolutions.”

The onus is on Iran to demonstrate to the international community that its nuclear program is exclusively peaceful and to comply with the resolutions of the United Nations Security Council and the International Atomic Energy Agency Board of Governors. Iran must take concrete actions to address the legitimate concerns of the international community about its nuclear program. It also is critical to note that the United Nations Security Council, in multiple resolutions, calls upon Iran to suspend all uranium enrichment activities and refrain from any plutonium reprocessing activities because of the questions raised over the peaceful nature of Iran’s nuclear program.

Question. Should the United States accept a uranium enrichment capability in Iran under international safeguards? How would an Iranian uranium enrichment or reprocessing capability be perceived by other states in the region and would you be concerned that such a capability could contribute to a cascade of proliferation of these sensitive technologies?

Answer. As President Obama stated recently, “We should be able to achieve a resolution that respects the rights of the Iranian people, while giving the world confidence that the Iranian program is peaceful.” Iran remains in noncompliance with its international nuclear obligations and has failed to demonstrate to the international community that its nuclear program is exclusively peaceful. Until Iran makes clear that it is prepared to address the legitimate concerns of the international community about Iran’s nuclear program, it would be premature to speculate about the acceptable outcome of the negotiations. We share your concerns regarding limiting the spread of enrichment and reprocessing (ENR) technologies. The United States maintains its longstanding policy of limiting the spread of ENR technologies.

RESPONSES OF FRANK ROSE TO QUESTIONS SUBMITTED BY SENATOR MARCO RUBIO

Question. Can you state definitively that in any arms control discussions with Russia for which you are responsible the United States will never agree to any limitations on U.S. missile defense programs?

Answer. While we seek missile defense cooperation and transparency with Russia, the United States will not agree to any obligations that will constrain or limit U.S. or NATO ballistic missile defenses.

Question. What has the administration done to reassure Russia that U.S. missile defenses are not directed against them? Does the Obama administration intend to provide Russia with classified information (including data declassified for this purpose) about our missile defense capabilities to make this case to Russia?

Answer. During both the Bush and Obama administrations, the United States has provided policy and technical briefings to Russia to demonstrate that U.S. ballistic missile defense plans, programs, and deployments are not designed to degrade, nor are they capable of degrading, Russia’s strategic deterrent.

The United States will not provide Russia with information about our missile defense systems that would in any way compromise our national security. For

example, hit-to-kill technology and interceptor telemetry will under no circumstances be provided to Russia.

Question. What lessons are to be learned from U.S. efforts to secure chemical and advanced conventional weapons in Iraq and Libya that could be applied to Syria?

Answer. Chemical weapons (CW) and advanced conventional weapons elimination efforts in Russia, Albania, Libya, and elsewhere have helped U.S. Government agencies to identify key capabilities, authorities, and coordination mechanisms that will assist in efficiently securing, verifying, and eliminating Syria's CW program. Additionally, we are seeking support from other governments that have capabilities to provide financial or technical assistance for the elimination of Syria's CW program. We recognize that implementing the Framework for Syria CW Elimination is an unprecedented task, and we are examining all of these tools as we work to support the United Nations, the Organization for the Prohibition of Chemical Weapons, and the international community to successfully implement this framework.

Valuable lessons from our experience in Libya are informing the Department's ongoing planning to counter advanced conventional weapons proliferation from Syria, including coordination with international and regional partners; coordination with implementers of related activities, such as border security assistance; possible action to prevent weapons sites from becoming insecure; and the need to act as soon as possible if sites become insecure.

Question. Do you believe that the United States-Russia framework for the elimination of Syrian chemical weapons is effectively verifiable? How can we be confident that, as in the case of Libya, the Assad regime will not retain at least some of its chemical weapons capabilities?

Answer. Syria is in the process of acceding to the Chemical Weapons Convention (CWC). Upon accession, it is obligated to destroy all of its chemical weapons under international verification by the Organization for the Prohibition of Chemical Weapons (OPCW). To date, the OPCW has verified the global elimination of over 57,000 metric tons of chemical weapons. The United States and Russia are focused very closely on ensuring that Syria complies with its CWC obligations. We are seeking additional verification rights for the United Nations and OPCW in this instance to ensure that inspectors have the right to inspect any and all sites in Syria, not just those declared by Syria. These provisions will provide the OPCW with enhanced tools to verify Syria's compliance.

Syria is not a normal situation, and we are utilizing the capacities of both the United Nations and the OPCW to address its unique circumstances. CWC implementation in Syria will be reinforced by the U.S.-Russia Geneva Framework Agreement, and the OPCW Executive Council decision and the UN Security Council resolution. In general, we intend to have a more robust program of CW destruction and verification on an accelerated schedule, and the role of the Syrian Government in this exercise will be looked at closely—we continue to work out the details with Russia, the United Nations, and the OPCW.

As CWC implementation proceeds in Syria, I would be happy to keep you apprised of developments.

RESPONSES OF ADAM SCHEINMAN TO QUESTIONS SUBMITTED
BY SENATOR MARCO RUBIO

Question. If confirmed, what would your strategy be for ensuring that Israel's interests are protected in the 2015 Nuclear Non-Proliferation Treaty (NPT) Review Conference and preceding meetings?

Answer. The United States has long supported universal adherence to the NPT. However, we believe that a comprehensive and durable peace in the region and full compliance by all regional states with their arms control and nonproliferation obligations are essential precursors for realizing universality of the NPT in the Middle East. Our government consults frequently with Israel on issues related to the NPT process, and in particular the proposal to convene a conference to discuss a Middle East zone free of weapons of mass destruction.

As the United States has made clear, it will only support a conference in which all countries feel comfortable they can attend and that we will oppose initiatives designed to pressure Israel or single it out for criticism. We also will continue our longstanding practice to work closely with Israel to ensure that regional arms control proposals do not detract from Israel's security and support our common interest in strengthening international peace and stability.

Question. How does the administration intend to handle the ongoing demands of some countries for establishment of a Middle East zone free of nuclear weapons and all other WMD?

Answer. It is longstanding U.S. policy to support the establishment of a Middle East zone free of all weapons of mass destruction. However, as we have made clear, this is a long-term undertaking and will require that essential conditions be in place, to include a comprehensive and durable peace in the region and full compliance by all regional states with their arms control and nonproliferation obligations.

As a near-term measure, we continue to support the goal of convening a conference to discuss aspects of a regional WMD free zone, as called for in the final document of the 2010 NPT Review Conference. In keeping with the principle that a regional WMD free zone can only be established on the basis of arrangements freely arrived at by the relevant parties, it should be clear that this conference can proceed only on the basis of consensus and with Israel having an equal seat at the table. Working with the other conveners (the United Kingdom, Russia, and the United Nations), and the appointed facilitator (Ambassador Jaakko Laajava of Finland), we continue to encourage direct engagement of the regional parties in order to reach agreement on an agenda for a successful conference.

RESPONSES OF HON. ROSE E. GOTTEMOELLER TO QUESTIONS SUBMITTED
BY SENATOR JOHN BARRASSO

Question. As the current Assistant Secretary of State for Arms Control, Verification and Compliance, can you certify Russia is complying or otherwise not acting inconsistent with all its arms control obligations (as opposed to just its strategic arms control obligations)?

Answer. As I noted at my confirmation hearing, there are some areas where we have concerns about Russian compliance. Complete compliance assessments are provided in the Annual Report to Congress on Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments. For specific information on individual compliance assessments, the Department of State is available to provide you with a briefing.

Question. Do you think it is important to be able to certify that Russia is currently complying with all its arms control obligations prior to negotiating future arms control agreements with Russia?

Answer. Noncompliance with treaty obligations is a very serious issue and I believe that consequences related to noncompliance should be appropriate to the specific circumstances. When specific questions arise about a country's treaty implementation, decisions about whether those issues constitute noncompliance require a careful process, which can include diplomatic engagement with the country concerned and an interagency process to assess the facts and circumstances. Whether and how those issues do or should affect future agreements is best evaluated on a case-by-case basis, taking into account the national security benefit of the proposed agreement and the assessed likelihood and risks of noncompliance. Treaty compliance is essential for creating the stability and predictability that aids international security efforts. Our national security interests have been and will continue to be the primary consideration in any future arms control negotiations and in deciding whether to become a party to any future agreement. We do not negotiate such agreements as "a favor" to other countries.

Question. Is Russia abiding by Comprehensive Test-Ban Treaty (CTBT) obligations as we define those obligations?

Answer. The Comprehensive Nuclear Test-Ban Treaty has not yet entered into force. As a State Party to the treaty prior to its entry into force, Russia has an obligation to refrain from acts which would defeat the object and purpose of the treaty. However, the full treaty regime, including its verification and onsite inspection provisions, will be implemented only if the treaty is in force. Regarding specific assessments of compliance, I refer you to the Annual Report to Congress on Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments.

Question. During your testimony before the committee, you said, "Russia is in compliance with the New START Treaty" and that you were "not aware of any questions that have arisen" to concealment or Russian efforts to deter our inspection teams and capabilities.

- ◆ How involved are you with the issues raised at the Bilateral Consultative Commission?
- ◆ Is anyone in the State Department aware of concealment issues or Russian efforts to deter our inspection teams?

Answer. As Assistant Secretary of State for Arms Control, Verification and Compliance, I have responsibilities in a number of areas, including the activities of the New START Treaty's Bilateral Consultative Commission (BCC). In addition to working with the U.S. delegation to the BCC to develop U.S. Government positions prior to a BCC session, I am regularly apprised of the day-to-day implementation of the treaty. To date, the BCC has been an effective forum for resolving issues related to treaty implementation.

With respect to specific concerns related to particular treaties, the Department of State is available to provide Congress with briefings on any particular concerns.

Question. Secretary of Defense Panetta assured Congress that arms reductions would take place in the Obama administration only as a result of an arms control treaty process, saying: "reductions that have been made, at least in this administration, have only been made as part of the START process and not outside of that process; and I would expect that that would be the same in the future."

- ◆ Can you assure the Senate that President Obama's negotiated cuts to our nuclear arsenal will be presented to the Senate in treaty form?

Answer. As Secretary Kerry stated in his September 18 letter to Senator Corker, we will pursue a treaty on nuclear reductions with the Russian Federation.

Question. Are you currently engaged in negotiations with the Russians on further reductions of strategic nuclear weapons or nuclear delivery vehicles? What is the status of those negotiations?

Answer. No.

However, at the August 9, 2013, "2+2" meeting with Russia, Secretary Kerry, Secretary Hagel, Russian Foreign Minister Sergey Lavrov, and Defense Minister Sergey Shoygu discussed strengthening strategic stability by implementing successfully the New START Treaty and exploring the possibilities of further negotiated nuclear reductions. These discussions are ongoing and are also taking place in other working groups, such as the U.S.-Russia Bilateral Presidential Commission Working Group on Arms Control and International Security, which I cochair with Russian Deputy Foreign Minister Sergey Ryabkov.

Question. During the New START debate, there was a lot of concern raised about the inclusion of provisions on missile defense. You were the lead negotiator of New START. In a treaty about strategic offensive arms, why is there a direct limitation on U.S. missile defense deployments in article 5, paragraph 3 of the treaty?

Answer. The New START Treaty has no operational impact on U.S. missile defense efforts.

Paragraph 3 of article V of the treaty prohibits the conversion of ICBM or SLBM launchers to launchers for missile defense interceptors and the conversion of missile defense interceptor launchers to launch ICBMs or SLBMs. The paragraph resolves a longstanding ambiguity that arose during implementation of the START Treaty. Specifically, it ensures that our five previously converted ICBM silo launchers at Vandenberg that are used now for missile defense interceptors will not count against the New START Treaty's limits on nondeployed ICBM launchers and will not be a continuing subject of dispute with Russia.

With regard to the conversion of SLBM launchers into missile defense interceptor launchers, the Missile Defense Agency had examined earlier the concept of launching missile defense interceptors from submarines and found it operationally an unattractive and extremely expensive option. The United States already has a very good and significantly growing capability for sea-based missile defense on Aegis-capable surface ships, which are not constrained by the New START Treaty.

Furthermore, the New START Treaty does not limit the United States in any way from building and deploying new land-based interceptors or silos.

Question. It is irrelevant that the United States currently has no plan to engage in the missile defense action prohibited by the treaty, when the Senate unanimously counseled that the treaty should not contain any limitations on our missile defense systems. Therefore, what did the United States get in return for this concession to Russia during the negotiation of the treaty?

Answer. The New START Treaty has no operational impact on U.S. missile defense efforts. Additionally, the treaty does not constrain the United States from deploying the most effective missile defenses possible.

Question. New START requires the United States and Russia to reduce their deployed nuclear warheads to 1,550 and their deployed nuclear delivery vehicles to 700. According to the last data exchange, Russia is already well below those limits, while we still need to make significant reductions to get below those limits.

◆ In future arms control negotiations with Russia, how can we avoid a treaty where the United States is the only Party required to actually make reductions?

Answer. The New START Treaty establishes legally binding and verifiable limits on the number of Russian and U.S. strategic nuclear forces that are mutually beneficial and stabilizing. The value of the New START Treaty goes beyond these limits and reductions. The treaty also provides transparency and predictability with regard to Russian strategic forces that the United States would otherwise lack. For example, the United States and Russia have exchanged more than 4,900 notifications on the numbers, locations, and movements of their strategic forces.

Onsite inspections and other verification measures also are going well, enabling each side to maintain confidence in the validity of that data.

Without this treaty, there would be no limit on the size of each Party's respective strategic nuclear arsenals in the face of modernization programs, and no insight into the other Party's forces. As was the case with the New START Treaty, any future arms control negotiations should be considered in light of all potential benefits.

Question. President Obama recently said at the U.N. General Assembly that "we respect the right of the Iranian people to access peaceful nuclear energy." Does the administration believe this includes the right to uranium enrichment or plutonium reprocessing technology?

Answer. States Parties in compliance with their Nuclear Non-Proliferation Treaty obligations have the right to pursue nuclear energy for peaceful purposes under the treaty, but with that right comes responsibilities. As President Obama stated in his address to the U.N. General Assembly, "We insist that the Iranian Government meet its responsibilities under the Nuclear Non-Proliferation Treaty and U.N. Security Council resolutions."

The onus is on Iran to demonstrate to the international community that its nuclear program is exclusively peaceful and to comply with the resolutions of the United Nations Security Council and the International Atomic Energy Agency Board of Governors. We have been consistent in our message that Iran must take concrete actions to address the legitimate concerns of the international community about its nuclear program. It also is critical to note that the United Nations Security Council, in multiple resolutions, calls upon Iran to suspend all uranium enrichment activities and refrain from any plutonium reprocessing activities because of the questions raised over the peaceful nature of Iran's nuclear program.

Question. Do you believe the current Iranian or North Korean regimes can be talked out of their nuclear programs?

Answer. The United States remains committed to the dual-track policy of engagement and pressure on Iran in pursuit of a diplomatic resolution to Iran's nuclear program. In his address before the United Nations General Assembly, President Obama again made clear "that America prefers to resolve our concerns over Iran's nuclear program peacefully, although we are determined to prevent Iran from developing a nuclear weapon."

However, the President and his administration have been consistent in their message: the window to resolve this issue diplomatically will not remain open indefinitely, and all options are on the table.

Thanks to the efforts of Congress and President Obama's administration, international sanctions have been instrumental in bringing Iran back to the negotiating table, and Iran must continue to face pressure until it takes concrete actions to comply with its international nuclear obligations.

Regarding North Korea, the paramount focus of U.S. policy remains the verifiable denuclearization of the Korean Peninsula.

We will not accept North Korea as a nuclear-armed state. North Korea has committed in the Joint Statement of the Six-Party Talks, and is obligated under the relevant United Nations Security Council resolutions to abandon all its nuclear weapons and existing nuclear programs.

We continue to hold North Korea to its commitments and obligations. We continue to work with our partners and the international community to implement the United Nations Security Council sanctions on the DPRK in order to impede its ability to sustain and enhance its proscribed nuclear and missile programs.

At the same time, we remain open to credible and authentic negotiations to bring North Korea into compliance with its international obligations and commitments through irreversible steps toward denuclearization. But the onus remains on North

Korea to take concrete and meaningful action to demonstrate its serious will and commitment to denuclearization.

Question. During the New START debates, former Secretary James R. Schlesinger testified before this committee that the Russians have consistently resisted efforts to deal with the imbalance of tactical weapons. He stated that, "The likelihood of their being willing to do so in light of New START is sharply diminished, for we have now forfeited substantial leverage."

◆ As lead negotiator, what was the rationale for the United States to forfeit substantial leverage on this issue?

Answer. In 2009, our priority objective was to negotiate a new strategic arms control agreement with Russia that would supersede the expiring START Treaty to ensure the continuation of mutual limits and verification on Russian and U.S. strategic nuclear forces. A treaty that addressed tactical nuclear weapons would have taken much longer to complete, adding significantly to the time before a successor agreement, including verification measures, could enter into force following START's expiration in December 2009. Because of their limited range and different roles, tactical nuclear weapons do not directly influence the strategic balance between the United States and Russia. That said, we agree with the Senate regarding the importance of addressing the disparity between U.S. and Russian nonstrategic nuclear weapons, and will work with our NATO allies to seek bold reductions in U.S. and Russian nonstrategic nuclear weapons in Europe.

Question. Throughout the debate, we were told that we must ratify this treaty in order to begin the conversation of reducing tactical weapons. On December 16, 2010, then-Senator Kerry stated on the floor of the U.S. Senate that, "I hope our colleagues will stand with our allies and stand with common sense and ratify this treaty so we can get to the issue of tactical nuclear weapons."

◆ What commitments has the administration received from Russia to reduce tactical nuclear weapons?

◆ Will you push for further reductions in strategic nuclear weapons or take on the real issue of tactical nuclear weapons?

(Note: The original question misstated the referenced date as December 16, 2012.)

Answer. As the President has said, we are seeking reductions in all categories of nuclear weapons, including strategic and nonstrategic.

Pursuant to Condition 12(B) of the New Start Resolution of Ratification, the State Department reports annually on our efforts to seek to initiate negotiations on NSNW with the Russian Federation. The latest report was delivered to the Senate on February 1, 2013.

Question. As our country continues to face threats from around the world, we should not take any action that will hinder our missile defense options. The United States must always remain in charge of our missile defense, not Russia or any other country. I have concerns about the efforts of Russia to limit our missile defense and actions the administration may be taking on this issue.

◆ Does President Obama plan to include any limits on missile defense in a broader agreement to limit offensive nuclear weapons?

◆ Can you commit to me that, in any arms control discussions with Russia for which you are responsible, the United States will never agree to any limitation on our missile defense programs?

Answer. The United States will not agree to any obligations that will constrain or limit U.S. or NATO ballistic missile defenses.

Question. Article 12 of the United Nations Arms Trade Treaty requires signatories to maintain records for 10 years on all firearm imports transferred to its territory. These records include the quantity of firearms, value, model/type and the end users. Signatories will be required to submit this information to the United Nations on an annual basis. During your testimony, you stated that the treaty "does not require the formation of national arms registry."

◆ How can this administration claim that this treaty does not require a United Nations gun registry when article 12 specifically requires the collection of the quantity of firearms, value, model/type and the end users?

Answer. The ATT is a treaty that deals with international trade and it does not in any way impact domestic gun rights, including those protected by the second amendment.

Current U.S. recordkeeping practices for arms exports and imports already meet the legal requirements of article 12. Article 12 requires States Parties (not the U.N.) to maintain national records of export authorizations or actual exports of the cov-

ered conventional arms for a minimum of 10 years. The United States already does this as part of our existing export control system. Article 12 does not require, but only encourages, States Parties to maintain records on imports, transits, and transshipments under its jurisdiction. Similarly, it does not require, but only encourages, States Parties to include in their national records the information specified in article 12(3). States Parties are permitted to decide for themselves whether all such information is necessary or relevant for their recordkeeping. As a result, the ATT would not require us to maintain any national records on arms exports or imports beyond what we already do under existing U.S. law and practice.

Question. As the administration pursues efforts on arms control and nuclear non-proliferation, it is vital that Congress is informed and consulted. Will you commit to me to provide Members of the Congress with all the information, resources, and materials requested in a timely manner?

Answer. Yes, if confirmed, I will commit to provide Members of Congress with requested information, resources, and material that fall under my purview as appropriate and in a timely manner.

**NOMINATIONS OF TIMOTHY BROAS, DONALD
LU, AND ROBERT SHERMAN**

THURSDAY, SEPTEMBER 26, 2013

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

Timothy Broas, of Maryland, to be Ambassador to the Kingdom of
the Netherlands
Donald Lu, of California, to be Ambassador to the Republic of Alba-
nia
Robert A. Sherman, of Massachusetts, to be Ambassador to the
Portuguese Republic

The committee met, pursuant to notice, at 2:05 p.m., in room
SD-419, Dirksen Senate Office Building, Hon. Christopher Mur-
phy, presiding.

Present: Senators Murphy, Kaine, and Johnson.

**OPENING STATEMENT OF HON. CHRISTOPHER MURPHY,
U.S. SENATOR FROM CONNECTICUT**

Senator MURPHY. Good afternoon, everyone. We will call this
meeting of the Foreign Relations Committee to order.

Today, the Senate Foreign Relations Committee will consider
three nominations: Timothy Broas to be Ambassador to the King-
dom of the Netherlands, Donald Lu to be Ambassador to the Re-
public of Albania, and Robert Sherman to be Ambassador to the
Portuguese Republic.

Let me begin the afternoon by welcoming our nominees and their
families. I am going to give short opening remarks, followed by
Senator Johnson, the ranking member of the subcommittee. After-
ward, you will all be allowed and asked to give an opening state-
ment. At that time, please feel free to introduce any family mem-
bers that may be with you today.

I congratulate all of you on your nominations. We have had the
chance, each of us, to talk privately, and I appreciate the time that
you have afforded me. If confirmed, you are going to be called upon
to serve and advance the interests of the American people in your
respective missions. I thank each of you for your willingness to
serve.

The heinous attack in recent days that we witnessed in Nairobi,
Kenya serves as a stark reminder of the challenges that the United

States and our allies face. We extend our deepest condolences to the families of the victims of that attack.

The challenges and opportunities that you are going to face in your respective postings are unique, but we are discussing today all countries that are staunch NATO allies of the United States. Our strategic relationship with these partners is of vital importance to promoting global security and prosperity, and I expect that each of you will have tough but necessary conversations with our partners about how NATO can continue to maintain its capabilities that we need in line with the resources that we have.

There are few countries with which we have a more important economic relationship than the Netherlands. More than 1,600 U.S. companies have subsidiaries or offices there. It is one of our largest export markets and our third-largest direct foreign investor, and they do all of this with a population of about 17 million people. The Netherlands can potentially be an important ally in our effort to pass a comprehensive free trade agreement with the EU, and I hope that you will work with the Dutch Government to generate support for TTIP.

Albania is another nation that is very important to the United States and our NATO mission, not the least of which because we have here in the United States and particularly in Connecticut a vibrant Albanian American population. Albania has supported the U.S. policy of expanding the number of countries, extending diplomatic recognition to Kosovo. As a NATO partner, they have provided troops to the U.S.-led actions in Afghanistan and Iraq and supported U.S. counterterrorism efforts by freezing terrorist assets. Recent elections in Albania this June were praised as the most successful to date, and if confirmed, Mr. Lu, I hope that you will work with your Albanian partners to continue their efforts to tackle corruption and strengthen the rule of law, essential tasks for Albania, as they pursue full membership in the EU.

And finally, turning to Portugal, the United States and Portugal have strong bilateral ties dating back to the earliest days of the United States when Portugal was amongst the first countries to recognize the United States following the Revolutionary War. Portugal is an active member of the NATO alliance, with Portuguese forces participating in NATO operations in Afghanistan and Kosovo. It is home to a U.S. airbase and also has been a strong U.S. partner in the fight against terrorism and drug trafficking. We are aware that Portugal has faced difficult economic challenges in recent years, and Mr. Sherman, I know that you will be immersed in these issues as you arrive in Lisbon. We look forward to your frequent reports, as well as those of your colleagues, back to this committee.

At this point, before I introduce our three nominees, let me turn to Senator Johnson for opening remarks.

**STATEMENT OF HON. RON JOHNSON,
U.S. SENATOR FROM WISCONSIN**

Senator JOHNSON. Thank you, Mr. Chairman. I would like to join you just in thanking the nominees for their willingness to serve this Nation. As I spoke with Mr. Sherman in my office, I think the top priority that I certainly expect out of anybody representing this

Nation is to represent us well, recognizing really what an exceptional nation this is, how although not perfect, America has just been a phenomenal force for good in the world. So that is your first and primary duty, but then also properly representing those nations' interests back to the United States. That is also a very high priority.

So, again, I just really want to thank the nominees for their willingness to serve and coming here before us today and look forward to your testimony.

Thank you.

Senator MURPHY. Thank you, Senator Johnson.

Let me make brief introductions going from my left to right, and then you will give testimony in that order.

First, let me recognize Timothy Michael Broas, the nominee for Ambassador to the Netherlands. Mr. Broas is a partner at Winston and Strawn LLP in Washington, DC, a talented and skilled trial lawyer and experienced negotiator. Mr. Broas will bring essential skills to the task of furthering bilateral relations with the Government of the Netherlands, a key U.S. ally in the EU and NATO.

Mr. Broas also serves as a trustee of Partners in Health, the Woodrow Wilson International Center for Scholars, and St. Mary's College of Maryland.

He earned his B.A. at Boston College and his J.D. at the College of William and Mary. I should also point out that he is a Dutch American.

Next, let me recognize Donald Lu, nominee for Ambassador to Albania. Mr. Lu is a career member of the Senior Foreign Service. A three-time Deputy Chief of Mission, he is known for being one of the Department's most talented leaders, respected both for his strong analytical skills and for his mentoring and motivational skills. An experienced negotiator, comfortable navigating relations with recalcitrant host governments, Mr. Lu will bring essential skills in negotiating between various factions in Albania to achieve democratization and adherence to the rule of law.

Most recently, he served as Deputy Chief of Mission in New Delhi, India. Mr. Lu served also as Deputy Chief of Mission in Azerbaijan and Kyrgyzstan. His other overseas assignments have included tours in India, Georgia, and Pakistan.

Finally, let me recognize Robert Sherman, the nominee for Ambassador to Portugal. Mr. Sherman is an attorney with Greenberg Traurig in Boston, MA. His wide-ranging trial and regulatory experience, focusing on government investigations and litigation, internal corporate investigations, as well as consumer protection and class action defense, will serve him well. Mr. Sherman has also served as the chief of Consumer Protection and special counsel to the Massachusetts attorney general during a very important stint in the public sector.

He earned his B.A. from the University of Rochester and his J.D. from Boston University.

Welcome to all three of you. We look forward to your testimony, and we will begin with Mr. Broas.

**STATEMENT OF TIMOTHY BROAS, OF MARYLAND, TO BE
AMBASSADOR TO THE KINGDOM OF THE NETHERLANDS**

Mr. BROAS. Mr. Chairman, Ranking Member Johnson, and distinguished members of the Senate Foreign Relations Committee, thank you for the privilege of appearing before you today. I am deeply grateful to President Obama and Secretary Kerry for their support and confidence in nominating me to be the U.S. Ambassador to the Kingdom of the Netherlands. If confirmed by the Senate, I pledge to devote all my energy to represent the United States to the best of my ability.

If you will permit me, I would like to introduce my wife, Julie Broas, who is here with me today. Julie is an attorney in Washington, DC, with the Washington Legal Clinic for the Homeless. My three daughters, Emily, Allison, and Madeline, unfortunately cannot be here with me today, but I know they are here in spirit.

Mr. Chairman and fellow Senators, as you well know, the United States long and fruitful relationship with the Kingdom of the Netherlands spans centuries and remains important today. In fact, the United Provinces of the Netherlands was the second nation officially to recognize the United States when the Dutch Government accepted the credentials of U.S. Minister John Adams on April 19, 1782.

Through the years, the Netherlands has stood as one of our most reliable diplomatic partners. The Netherlands is a valued and highly capable NATO ally and a founding member of the alliance. Additionally, the Netherlands is a top economic and trade partner. Our nations share common values, and bilaterally through NATO and in partnership through the European Union, we promote open and prosperous societies. The United States also values and commends the Netherlands' steadfast and generous support to development programs.

We value our alliance with the Netherlands and we commend its continuing commitment to develop and sustain its defense capabilities necessary for NATO missions, as evidenced yet again in its recent white paper on defense. The Dutch are active contributors to international security missions, including the NATO-led efforts in Afghanistan, the Balkans, and Libya. We are also thankful for the Netherlands' deployment of Patriot batteries, along with the United States and Germany, as part of a NATO effort to augment Turkey's air defenses earlier this year. This deployment gives confidence and demonstrates solidarity among NATO allies.

The Netherlands is also firmly aligned with U.S. policy on Syria. It fully backs the United States-Russia framework to ensure Syria's chemical weapons are accounted for and destroyed. As host to the Organization for the Prohibition of Chemical Weapons, the Netherlands has announced it will provide the OPCW with important financial support to ensure Syria's commitments are fulfilled, thus preventing the Assad regime from using these weapons again. If confirmed, I will strive to maintain Dutch commitment to the non-proliferation of chemical weapons in the Syrian conflict.

The Netherlands hosts the world's international tribunals that adjudicate and resolve the world's most complex and difficult legal conflicts. The Dutch tradition of supporting international justice is something I deeply admire and respect. Indeed, I had occasion as

a lawyer to invoke the jurisdiction of the Iran-U.S. Claims Tribunal in The Hague as an attorney for an American client seeking to recover property and funds confiscated in 1979 by the Iranian regime.

That same Iranian regime has not yet addressed the international community's serious concerns regarding its nuclear program. The international community has united to impose sanctions on the Iranian Government and the Netherlands and other European partners are crucial to this effort. If confirmed, I will work tirelessly to ensure that our Dutch allies remain shoulder to shoulder with us as we strive to hold Iran to its international obligations.

With a population of approximately 17 million, the Netherlands is the third-largest foreign direct investor in the United States and our ninth-largest trading partner. From 2000 through 2010, the Netherlands was the No. 1 destination in the world for U.S. direct investment, far ahead of Canada, Mexico, Singapore, and Japan. The Port of Rotterdam is Europe's largest port and the logical centerpiece of transatlantic economic commerce.

If confirmed, I will work tirelessly to maintain and improve our strong economic and trade relations with the Netherlands, consistent with the administration's goals to increase exports and create new jobs, especially with the TTIP negotiations underway between the United States and the European Union. I am pleased the Netherlands supports concluding the TTIP. The agreement has the potential to create strong, new bonds between the United States and our European allies, while giving us a powerful tool to support an open, rules-based trading system to the benefit of a robust U.S. economy.

The Dutch are justifiably renowned for their open and tolerant society. We share deep, longstanding values. We cooperate to combat terror and to prevent violent extremism. The Dutch know firsthand that we must never lower our vigilance against the grave threat of terrorism and that we must work with at-risk populations to ensure that young people do not become alienated and susceptible to radicalism. If confirmed, I will use the Embassy's resources to reach out to key populations in the Netherlands along these lines.

In all of these endeavors, it will be essential to communicate our policies and interests not only to the Dutch Government but to leaders in civil society among youth, academia, entrepreneurs, and media. I will oversee a public outreach strategy to engage television, print, and online media, host cultural events with American artists, students, athletes, and performers, and cast a wide, inclusive net for participants for our professional and academic challenges.

Mr. Chairman, I have spent over 30 years representing clients in a wide variety of complex criminal and civil disputes. While some involved only money, others involved my clients' liberty and freedom and their livelihoods. I have managed teams of lawyers, clients, and consultants on cases both large and small, all with the goal of reaching the most favorable resolution for my client. Along the way, I have encountered legal, factual, and managerial minefields of every possible type. In all these cases, I was called upon

to make critical decisions and manage diverse personalities and points of view. If confirmed, I will draw upon this experience when I assume leadership of our team at the Embassy in The Hague and the consulate in Amsterdam.

Let me say also that I am particularly looking forward to collaborating with our locally employed staff in the Netherlands. Local employees are the backbone of any diplomatic mission, and I will engage them to ensure that they have a voice in shaping and promoting U.S. foreign policy in the Netherlands so they know that they are a key component to our bilateral relationship. With their support and engagement, our success as a mission is greatly enhanced.

Thank you for your time. I look forward to answering any questions you may have.

[The prepared statement of Mr. Broas follows:]

PREPARED STATEMENT OF TIMOTHY BROAS

Mr. Chairman, Ranking Member Johnson, and distinguished Members of the Senate Foreign Relations Committee, thank you for the privilege of appearing before you today. I am deeply grateful to President Obama and Secretary Kerry for their support and confidence in nominating me to be U.S. Ambassador to the Kingdom of the Netherlands. If confirmed by the Senate, I pledge to devote all my energy to represent the United States to the best of my ability.

First, if you will permit me, I would like to introduce my wife, Julie Broas, who is here with me today. My wife, Julie, is an attorney in Washington, DC, with the Washington Legal Clinic for the Homeless. My three daughters, Emily, Allison, and Madeline, unfortunately cannot be here with me today, but I know they are supporting me in spirit today.

Mr. Chairman and fellow Senators, as you well know, the United States long and fruitful relationship with the Kingdom of the Netherlands spans centuries that remains important today. In fact, the United Provinces of the Netherlands was the second nation officially to recognize the United States when the Dutch Government accepted the credentials of U.S. Minister John Adams on April 19, 1782.

Through the years, the Netherlands has stood as one of our most reliable diplomatic partners. The Netherlands is a valued and highly capable NATO ally, and a founding member of the alliance. Additionally, the Netherlands is a top economic and trade partner. Our nations share common values, and bilaterally, through NATO, and in partnership through the European Union, we promote open and prosperous societies, encouraging we promote open and prosperous societies. The United States also values and commends the Netherlands' steadfast and generous support to development programs.

We value our alliance with the Netherlands, and we commend its continuing commitment to develop and sustain its defense capabilities necessary for NATO missions, as evidenced yet again in its recent White Paper. The Dutch are active contributors to international security missions, including the NATO-led efforts in Afghanistan, the Balkans, and Libya. We are also thankful for the Netherlands' deployment of Patriot batteries—along with the United States and Germany as part of a NATO effort—to augment Turkey's air defenses earlier this year. This deployment gives confidence and demonstrates solidarity among NATO allies.

The Netherlands is also firmly aligned with U.S. policy on Syria, and it fully backs the U.S.-Russia Framework to ensure Syria's chemical weapons are accounted for and destroyed. As host to the Organization for the Prohibition of Chemical Weapons (OPCW), the Netherlands has announced it will provide the OPCW with important financial support to ensure Syria's commitments are fulfilled, thus preventing the Assad regime from using these weapons again. If confirmed, I will strive to maintain Dutch commitment to the nonproliferation of chemical weapons in the Syrian conflict.

The Netherlands hosts the world's international tribunals that adjudicate and resolve the world's most complex and difficult legal conflicts. The Dutch tradition of supporting international justice is something I deeply admire and respect. Indeed, I had occasion to invoke the jurisdiction of the Iran-U.S. Claims Tribunal in The Hague as an attorney on behalf of American clients seeking to recover property and funds confiscated in 1979 by the Iranian regime. That same Iranian regime has not

yet addressed the international community's serious concerns regarding its nuclear program. The international community has united to impose sanctions on the Iranian Government, and the Netherlands and other European partners are crucial to this effort. If confirmed, I will work tirelessly to ensure that our Dutch allies remain shoulder to shoulder with us as we strive to hold Iran to its international obligations.

Our longstanding relationship with the Netherlands is based on trust, confidence, and shared values that transcend traditional security, economic, and diplomatic ties. The United States works together with the Netherlands through military cooperation and development aid to promote security, justice, and economic development throughout the world. I might add that the Netherlands is one of the world's most generous development aid donor nations and a robust contributor of humanitarian assistance in response to the many crises that we see today.

With a population of approximately 17 million, the Netherlands is the third-largest foreign direct investor in the United States and our ninth-largest trading partner. From 2000 through 2010, the Netherlands was the number one destination in the world for U.S. direct investment, far ahead of Canada, Mexico, Singapore, and Japan. The Port of Rotterdam is Europe's largest and a logistical centerpiece of transatlantic economic commerce. If I am confirmed, I will work tirelessly to maintain and improve our strong economic and trade relations with the Netherlands, consistent with the administration's goals to increase exports and create new jobs, especially with the Transatlantic Trade and Investment Partnership (T-TIP) negotiations underway between the United States and the European Union. I am pleased that the Netherlands supports concluding the T-TIP. The agreement has the potential to create strong new bonds between the United States and our European allies, while giving us a powerful tool to support an open, rules-based trading system to the benefit of a robust U.S. economy.

The Dutch are justifiably renowned for their open and tolerant society. We share deep, longstanding values. We cooperate to combat terror and to prevent violent extremism. The Dutch know first-hand that we must never lower our vigilance against the grave threat of terrorism and that we must work with at-risk populations to ensure young people do not become alienated and susceptible to radicalism. If I am confirmed, I will use the Embassy's resources to reach out to key populations in the Netherlands along these lines.

The United States and the Netherlands also share a strong commitment to the political and economic participation of women. The Netherlands is a partner in the Presidential Challenge on Women's Political and Economic Participation. If confirmed, I pledge to advance our collaboration with the Netherlands to promote women in politics and business.

Additionally, the United States and the Netherlands share an important commitment to green energy. If confirmed, I will build on the close cooperation our Embassy has forged with the Netherlands on alternative energy and environmental sustainability.

In all of these endeavors, it will be essential to communicate our policies and interests not only to the Dutch Government, but to leaders in civil society, among youth, academia, entrepreneurs, and media. I will oversee a public outreach strategy to engage television, print, and online media; host cultural events with American artists and performers; and cast a wide, inclusive net for participants for our professional and academic exchange programs.

Mr. Chairman, I have spent over 30 years representing clients in a wide variety of complex criminal and civil disputes. While some involved only money, in sums small and large, others involved my clients' liberty and freedom and often their livelihoods. I have managed teams of lawyers, clients, and consultants on cases both large and small—all with the goal of reaching the most favorable result for my client. Along the way I have encountered legal and factual and managerial minefields of every possible type, some predictable and others from out of nowhere. In all of these cases, I was called upon to make critical decisions and manage diverse personalities and points of view. If I am confirmed, I will draw upon this management leadership and experience when I assume leadership of the team at our Embassy in The Hague and Consulate General in Amsterdam.

Let me say that I am particularly looking forward to collaborating with our locally employed staff in the Netherlands. Local employees are the backbone of any diplomatic mission, and I will engage them to ensure they have a voice in shaping and promoting U.S. foreign policy in the Netherlands so they know they are a key component to our bilateral relationship. With their support and engagement, our success as a mission is greatly enhanced.

I also have had the pleasure of serving as a board member on a number of non-profit institutions, including Partners in Health and the Woodrow Wilson Inter-

national Center for Scholars. If confirmed, I will draw upon these experiences in my work in the Netherlands, which is such an important partner in promoting democracy, human rights, developmental aid, and economic growth around the world. The Netherlands understands, as does the United States, that military and diplomatic efforts are not the only tools for combating instability; development plays a very important role. If confirmed, I pledge to advance United States-Dutch cooperation on democratic development, from Belarus and Ukraine, to the Middle East and North Africa.

Let me close with a personal story. I am one of nine children born to the late William Broas and Anita St. Germain. My only regret here today is that my parents are not here to see their son appear before your committee to seek confirmation as an ambassador. They would have been very proud. My father, fittingly of Dutch descent, served honorably in the Marines in the Pacific theatre during World War II. My mother lived in Paris, France, until her father, confronted like all French citizens by the Nazi invasion and occupation of France, put her—along with her mother and her siblings—on a small boat to New York. She eventually met my father after the war, and one of the many things that bound them together was a profound love for the freedom they found in the United States. The experiences of my parents and the love they felt for this country left a lasting impression on me. I always believed that, if I ever had the chance to serve our country, I would do so whenever the call came. When President Obama asked me to be our next Ambassador to the Netherlands, the country of my father's ancestors, I could almost hear my parents echoing my affirmative reply. If I am confirmed, I will be guided at all times by the pride and love of country that my parents instilled in me from a young age.

Senator MURPHY. Thank you, Mr. Broas.
Mr. Lu.

**STATEMENT OF DONALD LU, OF CALIFORNIA, TO BE
AMBASSADOR TO THE REPUBLIC OF ALBANIA**

Mr. LU. Mr. Chairman, Ranking Member Johnson, Senator Kaine, it is an honor for me to be with you today as President Obama's nominee to be Ambassador to Albania. I want to express my gratitude to the President and to the Secretary of State for the confidence that they have placed in me. If confirmed, I pledge to work closely with the U.S. Congress and with this committee to advance our Nation's interests in Albania.

With your permission, I would like to introduce members of my family who have joined me here today. My wife, Dr. Ariel Ahart, has been my constant companion through all of our travels around the world. She is a distinguished public health specialist, having most recently worked for the U.S. Centers for Disease Control. My son, Kip, is a Boy Scout, and he is an enthusiastic flag football player. And my daughter, Aliya, is in the third grade and she is the resident artist of our family. All of us are thrilled to be with you today.

Senators, I am the son of an immigrant to the United States, and so I am particularly blessed to have had the opportunity to serve my country in the U.S. Foreign Service and in the Peace Corps. Whether digging latrines in West Africa or witnessing revolution in Central Asia, I have learned the value of U.S. leadership overseas. For most of my 22 years in the State Department, I have worked on the emerging democracies of the former Soviet Union and of Eastern Europe.

Albania is one of those emerging democracies, but it is also an enduring ally of the United States. Today Albanian soldiers are serving side by side with American soldiers in Afghanistan in combat roles in dangerous places like Kandahar. As one of NATO's newest members, Albania is a steadfast supporter of peace and se-

curity with significant deployments to Afghanistan, along with deployments to U.S. and EU-led operations in Bosnia, Iraq, and Chad. For a country of only 3 million people, Albania certainly punches above its weight.

If confirmed, I will lead our Embassy's ongoing efforts to advance three key priorities.

First, the further development of democratic institutions and society: Albania's June parliamentary elections were the best conducted in their country's history, leading to a peaceful transition of power between one ruling coalition to another. But, of course, democracy is more than just elections. We should encourage bold leadership on combating organized crime, human trafficking, and corruption. The United States must continue to support the growing voice of civil society, the protection of minority rights, judicial independence and accountability. A key driver of these reforms will be Albania's aspiration for EU membership. The United States and the EU are a community of shared values. We endorse Albania's goal at every level for EU accession.

Second, support for Albania's increasing participation in NATO, U.S., and EU-led stability missions: In preparation for Albania's participation in Operation Iraqi Freedom and Operation Enduring Freedom, the U.S. military worked intensively to build the skills of the Albanian military. As NATO's role in Afghanistan changes, we must continue to develop the capacity of our Albanian NATO ally to be an effective, long-term partner in supporting stability in Europe and beyond. At the same time, we need to help Albania grapple with corruption and accountability within its military to ensure it can meet the highest standards of the NATO alliance.

Third, the promotion of U.S.-Albanian economic ties: The Albanian economy has grown impressively over the past 20 years, but like many of our allies, it has stagnated over the last couple of years. Two things stand the best chance of getting Albania's economy back on its feet. The first is Albania undertaking key economic reforms to create a more stable business climate, and second, the strengthening of the economic partnerships between Albania and Europe and Albania and the United States. The growing engagement of U.S. exporters and investors in Albania is not only benefiting Albania, it is benefiting the United States in terms of jobs, in terms of our outreach to the world. And we are able to share our values of transparency, entrepreneurship, and innovation.

Finally, if confirmed, I will take seriously my role as Chief of Mission to manage and safeguard our most precious resource, our people, our infrastructure, and the strong reputation of the United States abroad. Senators, in a world of constant peril and uncertainty, the United States needs stalwart allies like Albania.

Thank you very much.

[The prepared statement of Mr. Lu follows:]

PREPARED STATEMENT OF DONALD LU

Mr. Chairman, Mr. Ranking Minority Member Johnson, and members of the committee, I am honored to appear here today as President Obama's nominee to be the next Ambassador to Albania. I am grateful to the President and Secretary Kerry for the confidence they have placed in me. I thank you for the opportunity to appear today and, if confirmed, I pledge to work closely with the Congress to advance our Nation's interests in Albania.

If you would allow me, I would like to introduce my family joining me today. My wife, Dr. Ariel Ahart, is my constant companion on our adventures overseas, but also a distinguished public health specialist, having most recently worked for the U.S. Centers for Disease Control. My son, Kip, is a Boy Scout and an enthusiastic flag football player. And my daughter, Aliya, who is in the third grade is the artist of our family. We are all looking forward to this next adventure.

As the son of an immigrant to America, I am particularly blessed to have had the opportunity to serve in the U.S. Foreign Service and the Peace Corps. Whether it was digging latrines in West Africa or witnessing revolution in Central Asia, I have learned the importance of American leadership in the world. For most of my 22 years in the State Department I have worked on the emerging democracies of Eastern Europe and the former Soviet Union.

Albania is one of those emerging democracies, but it is also an enduring ally and partner of the United States. Albanian soldiers are today conducting combat missions side by side with American troops in dangerous places like Kandahar. As one of NATO's newest members, Albania has been a steadfast supporter of peace and security with significant deployments to Afghanistan, along with deployments to U.S. and EU-led operations in Bosnia, Iraq and Chad. For a country of only 3 million people, Albania punches above its weight.

Since President Woodrow Wilson's defense of Albanian statehood after World War I, up to our strong endorsement of its NATO accession in 2009, the United States has played an important role in helping Albanians to shape their country's democracy, stability, and independence. And today we strongly support Albania's efforts to join the European Union. If confirmed, I will lead our Embassy's ongoing efforts to advance three key priorities.

First, the further development of democratic institutions and society. Albania's June parliamentary elections were the best conducted in the country's history, leading to a peaceful transition of power from one ruling coalition to another. Of course, true democracy is more than just elections. We should encourage bold leadership to combat organized crime, human trafficking, and corruption. The United States must continue to support the growing voice of civil society, the protection of minority rights, and judicial independence and accountability. A key driver of these reforms is Albania's aspiration for EU membership. The United States and the EU are a community of shared values, and we endorse Albania's goal at every level. The reforms that will be accomplished on the path of EU accession will irreversibly transform the standards and opportunities for all the people of Albania.

Second, support for Albania's increasing participation in NATO, EU, and U.S.-led stability missions. In preparation for Albania's participation in Operation Iraqi Freedom and Operation Enduring Freedom, the U.S. military worked intensively to build the skills of the Albanian military. As NATO's role in Afghanistan changes and Western Balkans countries evolve beyond their past conflicts, we must continue to develop the capacity of the Albanian Armed Forces to be an effective long-term partner in supporting stability in Europe and beyond. At the same time, we need to help Albania grapple with corruption and accountability within its military to ensure it can meet the highest standards of the NATO alliance.

Third, the promotion of U.S.-Albanian economic ties. The Albanian economy has grown impressively over the past 20 years, but has stagnated in recent years. Two things stand the best chance of getting the Albanian economy back on its feet—pursuit of key economic reforms to create a more stable business and investment climate, and the strengthening of its economic partnerships with Europe and the United States. The growing engagement by U.S. exporters and investors in Albania is not only benefiting Americans, but also sharing our values of transparency, entrepreneurship, and innovation.

Finally, if confirmed, I will take seriously my role as Chief of Mission to manage and safeguard our precious resources—our people, our infrastructure, and the strong reputation of the United States abroad. I will work to ensure that they are protected and that American interests are advanced.

If confirmed, I will devote my energies to work for the American people to build strong bonds with the government and people of Albania. In a world of constant peril and uncertainty, the United States needs stalwart allies like Albania.

Senator MURPHY. Thank you, Mr. Lu.
Mr. Sherman.

**STATEMENT OF ROBERT A. SHERMAN, OF MASSACHUSETTS,
TO BE AMBASSADOR TO THE PORTUGUESE REPUBLIC**

Mr. SHERMAN. Thank you, Mr. Chairman, Ranking Member Johnson, Senator Kaine. It is an honor to appear before you as President Obama's nominee to serve as Ambassador to the Portuguese Republic. I am humbled by the confidence the President and Secretary Kerry have placed in me. If confirmed, I pledge to work closely with the President, the Secretary, and Congress to advance our Nation's interests in Portugal and to promote cooperation on issues of mutual concern.

Please permit me to introduce my wife, Kim Sawyer. Kim is not only my better half but she is a lawyer, an entrepreneur, and the president of a small financial services company in Boston. I have no doubt that Kim will also be a tremendous asset in Portugal.

My two adult children, Matt and Stephanie, unfortunately are unable to be here. Matt is vice president of a real investment fund and is an MBA student at Emory University. Stephanie, who will be married next month, works with autistic and special needs children in the Newton, MA, public schools.

I sit before you today as a first generation American. My parents were both Russian immigrants who came to this country with nothing. They settled in Brockton, MA. Brockton is located near one of the largest Portuguese communities in the United States. Growing up, these immigrants from the Azores were my neighbors and my friends. I quickly learned about their values. The Portuguese are hardworking, tolerant, devoted to family, freedom and honor, and so very proud of their heritage. These are the same values I was taught by my parents and have passed on to my children. They are American values and they are what makes this country strong.

But America has more than just a commonality of values with the Portuguese. Portugal has been a longstanding and staunch ally of the United States, and that relationship goes back to the founding of our Republic when Pedro Francisco fought in General Washington's army and became a Revolutionary War hero. Portugal was also one of the first countries to recognize the United States after our independence. It was an original member of NATO and a strong partner while serving on the U.N. Security Council. Portugal has supported almost every NATO-led security operation over the last 2 decades, including in the Balkans and in Afghanistan. The relationship with the United States is a prominent element of Portugal's foreign policy. The United States values its alliance with Portugal, and I look forward to our continuing cooperation on global peace and security.

The U.S. military has also maintained a presence at Lajes Air Field in the Azores since the 1940s, and the Azoreans have welcomed our service men and women into their community. I would like to express my heartfelt gratitude for their hospitality. I am aware of the difficulties the United States Air Force downsizing presents to Portugal and the Azores, and I pledge to continue our ongoing efforts to help mitigate the economic impact.

These are not easy times for the Portuguese people. Portugal is in the midst of an economic crisis that has resulted in unemployment close to 17 percent and youth unemployment more than double that number. The Portuguese Government has done its utmost

to implement fiscal reforms. I commend the Portuguese for their continuing sacrifice and their commitment to finding a path back to economic security.

The United States also has a role to play there. If confirmed, one of my priorities will be to strengthen our economic relationship with Portugal, fostering U.S. job growth while simultaneously benefiting the Portuguese economy. I will work to increase trade, promote bilateral investments, and enlist Portuguese and U.S. businesses to empower innovation, technology, and entrepreneurship.

One major initiative is already underway that will directly impact this priority. The Transatlantic Trade and Investment Partnership, or TTIP, presents an opportunity to expand our trade relationship with Portugal while spurring economic growth on both sides of the Atlantic. TTIP has the potential to significantly increase more than 13 million U.S. and European jobs currently supported by trade and to strengthen our economic alliance with Portugal.

Finally, I want to acknowledge how the Portuguese community has enriched American culture, from Emma Lazarus' sonnet, which is engraved on the pedestal of the Statue of Liberty, to the iconic music of John Phillip Souza, to the everyday contributions of approximately 1.5 million Portuguese Americans in business, politics, education, and the arts.

Mr. Chairman, Ranking Member Johnson, Senator Kaine, thank you for considering my nomination. I am happy to answer any questions you have.

[The prepared statement of Mr. Sherman follows:]

PREPARED STATEMENT OF ROBERT A. SHERMAN

Thank you Mr. Chairman, Senator Johnson, and distinguished committee members. It is an honor to appear before you as President Obama's nominee to serve as Ambassador to the Portuguese Republic. I am humbled by the confidence the President and Secretary Kerry have placed in me. If confirmed, I pledge to work closely with the President, the Secretary, and Congress to advance our Nation's interests in Portugal, and to promote cooperation on issues of mutual concern.

Please permit me to introduce my wife, Kim Sawyer. Kim is not only my better half, but is a lawyer, an entrepreneur, and the president of a small financial services company in Boston. I have no doubt that Kim will also be a tremendous asset in Portugal.

My two children—Matt, age 29, and Stephanie, age 27—unfortunately are unable to be here. Matt is vice president of a real estate investment fund and is an MBA student at Emory University. Stephanie, who will be married next month, works with autistic and special needs children in the Newton, MA, public schools.

I sit before you today, as a first generation American. My parents were both Russian immigrants who came to this country with nothing. They settled in Brockton MA, the hometown of Rocky Marciano. Brockton is located near one of the largest Portuguese communities in the United States. Growing up, these immigrants from the Azores were my neighbors and classmates, and I quickly learned about their values. The Portuguese are hardworking, tolerant, devoted to family, freedom, and honor; and so very proud of their heritage. These are the same values I was taught by my parents and have passed on to my own children. They are the values that make this country strong.

America has more than just a commonality of values with the Portuguese. Portugal has been a longstanding and staunch ally of the United States. That relationship goes back to the founding of our Republic when Pedro Francisco fought in General Washington's army and became a Revolutionary War hero. Portugal was also one of the first countries to recognize the United States after our independence. It was an original member of NATO, and a strong partner while serving on the U.N. Security Council. Portugal has supported almost every U.S.-led security operation over the last two decades, including in the Balkans, Iraq, and Afghanistan. The

relationship with the United States is a prominent element of Portugal's foreign policy. The United States values its alliance with Portugal, and I look forward to our continuing cooperation on global peace and security.

The U.S. military has maintained a presence at Lajes Air Field, in the Azores, since the 1940s, and Azoreans have welcomed our service men and women into their community. I would like to express my heartfelt gratitude for their hospitality. I am aware of the difficulties the U.S. Air Force downsizing presents to Portugal and the Azores, and I pledge to continue our ongoing efforts to help mitigate the economic impact.

These are not easy times for the Portuguese people. Portugal is in the midst of an economic crisis that has resulted in unemployment close to 17 percent and youth unemployment double that number. The Portuguese Government has done its utmost to implement fiscal reforms. I commend the Portuguese for their continuing sacrifice and their commitment to finding a path back to economic prosperity.

The United States has a role to play here. If confirmed, one of my priorities will be to strengthen our economic relationship with Portugal, fostering U.S. job growth while simultaneously benefiting the Portuguese economy. I will work to increase trade, promote bilateral investments, and enlist Portuguese and U.S. businesses to empower innovation, technology, and entrepreneurship.

One major initiative is already underway and will directly impact this priority. The Transatlantic Trade and Investment Partnership, or TTIP, presents an opportunity to expand our trade relationship with Portugal while spurring economic growth on both sides of the Atlantic. TTIP has the potential to significantly increase the more than 13 million U.S. and European jobs currently supported by transatlantic trade and investment and to strengthen our economic alliance with Portugal. As important, TTIP will create strong new bonds between the United States and our European allies, while giving us a powerful tool to support an open, rules-based trading system to the benefit of a robust U.S. economy.

Finally, I want to acknowledge how the Portuguese community has enriched American culture—from Emma Lazarus's sonnet, which is engraved on the pedestal of the Statue of Liberty, to the iconic music of John Phillips Souza, to the everyday contributions of approximately 1.5 million Portuguese-Americans in business, politics, education, and the arts.

Senator MURPHY. Thank you very much, Mr. Sherman. Thank you all for your testimony.

We will begin a round of 7-minute questions. I will begin and maybe pose a couple questions on the subject of energy policy to both Mr. Broas and Mr. Lu, very different questions.

But, Mr. Broas, you and I, when we spoke, talked a little bit about the fact that according to some reports, natural gas resources in the Netherlands are significantly declining and they actually may be a net energy importer by 2025. One of the concerns I shared with you is that what I have heard in my brief time chairing this subcommittee, is a great interest across Europe and into the Eastern Partnership area of the continent for the United States to open up LNG exports and open up gas exports into Europe. And I worry that we could get into a sort of free rider phenomenon in which European nations are reluctant to do fracking because of environmental concerns that they may have and would be more than happy for the United States to essentially supply them resources.

What do you foresee is the future of energy policy in the Netherlands? How might U.S. gas resources play into that future? And what is your understanding of the discussion that is happening right now in the Netherlands around this issue of fracking. As you and I have, of course, discussed, there are some particular water table issues in the Netherlands, which make that a little bit more problematic. But talk a little bit about that issue with respect to the country to which you will hopefully soon be our Ambassador.

Mr. BROAS. Thank you, Senator. And yes, we did have a good discussion about that.

Based upon information that I have received in my briefings at the State Department and what I have read, there is, in fact, projected to be a declining amount of domestic produced gas in the Netherlands, and they are projecting that by 2025, they will become a net importer for the first time in recent history. So the country is already thinking about what it is going to do and where it is going to obtain energy from, and they have expressed, according to information I have received, an interest in importing gas from the United States should the United States ever decide to export LNG.

But in terms of environmental concerns, yes, they do have concerns about the environmental effects of fracking, like many European countries do, like many people here do. I have not heard anything to indicate that there is going to be any kind of free rider problem with the Netherlands. They are, as you know, one of our staunchest trading partners and a very, very strong economic partner of ours. They will, obviously, be spending a lot of time dealing with the fracking issue to the extent they have any shale deposits, and I am told that they do.

And they also have, as you said, environmental concerns about the situation that their country geographically is located in. They are, as you know, a very fragile country, supported in many sections of the country by a very unique and very complicated system of dikes and polders. And so any kind of fracking or drilling for shale is going to be complicated and will have to accommodate all of those concerns.

But if confirmed as Ambassador, obviously I will work with them to explore opportunities for them to deal with their energy needs, whether it is from the United States or elsewhere, and also to address whatever environmental concerns they have domestically.

Senator MURPHY. Mr. Lu, you have spent your career thinking about energy policy, in part because of the countries that you have been posted to. A consortium of international energy investors just recently announced the new pathway for the Trans-Adriatic Pipeline which is going across, I think, through Albania. There is also a proposal for a new Adriatic-Ionian pipeline that will go from Albania to Croatia. I know you are not there yet. So it is difficult to answer these questions in detail.

But can you talk a little bit about the energy future in Albania and potentially what the Trans-Adriatic Pipeline and perhaps this new pipeline that is being discussed—what kind of impact that will have on Albania's energy future?

Mr. LU. Senator Murphy, thank you. It is a very important question for the region and for the globe.

As you mentioned, I had served earlier in Azerbaijan from where this gas is actually coming, and it is exciting for me to think about the negotiations that we had years ago when I was No. 2 there and then Chargé d'Affaires for a while actually coming full circle and seeing some of these countries actually on track to get the benefits of the gas coming out of the Caspian.

As I mentioned, it is important not only for the region, for Europe and Europe's energy security that this southern corridor gas

will reach markets soon, it is important for the United States and for the globe because the more countries that have access to diverse supplies of energy, the better the free market works, the better consumers are able to make decisions about what they buy and at what price. And that is good for the United States and it is good for the rest of the countries of Europe.

Albania stands to gain greatly by the Trans-Adriatic Pipeline. In particular, it will be, if all estimates are right, the largest single investment ever into Albania, \$1.2 billion to \$2 billion. It is on track to generate 10,000 jobs for Albania. But more important than either of those things, it will knit Albania together with the countries of Europe in a way that is enduring, that will make their security part of the security of its neighbors.

Senator MURPHY. Thank you.

A quick question on the first round to you, Mr. Sherman. One of the things we talked about and you talked about in your testimony is the U.S. plans to draw down at Lajes. And you reference the fact that one of your missions as Ambassador will be to try to look at steps that might mitigate the economic impact. Clearly, this is a big issue in Portugal today, in large part because they are just having a tough time digging themselves up out of the hole, even as the eurozone at large begins to stabilize.

Have you thought yet or do you know whether there are discussions underway today at the Embassy or the State Department as to what some of those steps might be to try to mitigate the impact of our reduced presence at Lajes?

Mr. SHERMAN. Thank you for that question.

I do know that there are—first and foremost, the relationship that we have with the Portuguese is, as I said in my testimony, a strong and longstanding relationship. We are not leaving Lajes Air Force Base as you referenced. We are reducing the size of our force. That is part of the right sizing of American forces that is going on throughout Europe. We understand that America needs to respond quickly and nimbly to the asymmetrical threats that exist in this world, and the Department of Defense has concluded that downsizing in Lajes is appropriate. Congress is involved with the Department of Defense on that issue.

As part of these efforts, we are also looking at ways to mitigate the economic impact. Some of the things that we have done, we are looking to promote investment in the Azores, additional trade in the Azores, cultural exchanges, educational exchanges. There are opportunities in the tourism industry to help mitigate the effects.

We are also bringing officials from the Azores to the United States to view places in the United States where bases have been either drawn down or closed and see how those communities have managed to recover from the economic impacts there.

There is a standing United States-Portuguese bilateral commission where we are talking about these various issues. It is an important aspect and we are committed to assisting the Portuguese with these efforts.

Senator MURPHY. Thank you.

Senator JOHNSON.

Senator JOHNSON. Thank you, Mr. Chairman.

Let me just kind of go right down the list of the nominees. Could you just describe to me what you—because everybody is talking about one of the primary goals is strengthening economic ties. What is the greatest opportunity to strengthen those ties between our nations?

Mr. Broas.

Mr. BROAS. Senator Johnson, thank you for the question.

As I said in my opening statement, we already have a very, very strong economic relationship with the Dutch. They are the third-largest investor in our country. For a country of 17 million, it is pretty extraordinary. And we are the largest investor in the Netherlands.

But as Ambassador, if I am confirmed, I intend to strengthen it even more. The Dutch, as you know, are notorious free traders and they are very excited about the opportunities that TTIP will bring to their country, to the EU, and to the United States. I will do everything in my power as an ambassador to work with the local Dutch community, the Dutch companies and private enterprise, as well as, obviously, the Dutch Government, and with the American companies through the American Chamber of Commerce to promote trade and increase trade between the two countries. These two countries have spent centuries trading with each other and have found favorable environments in each other's countries for trade, for business, for commerce, and for creating jobs.

There are many ways that we can do that, again by engaging the American Chamber of Commerce and engaging the Dutch companies. I can also use public diplomacy to increase the exposure of American investment in the Netherlands and vice versa.

Going back to Senator Murphy's question, I think on energy policy we can also work closely with the Dutch to increase trade in the energy field.

So I think there are many opportunities, Senator, for us to even increase this trade relationship even more than it already is.

Senator JOHNSON. Is the large trade relationship already—is it in financial services? I mean, do you know the particular economic activity it is in?

Mr. BROAS. It is a variety of industries. It includes financial services. It includes manufacturing, lots of manufacturing. In fact, I would say that it is mostly manufacturing. It includes energy. There are a number of insurance companies that are Dutch that do a lot of business here in the United States. So it is a pretty broad spectrum of companies. There are lots of food companies. You have heard of companies like Philips. You have heard Shell, Heineken. Many, many different companies that do business here in the United States and around the world are based in the Netherlands.

Senator JOHNSON. Mr. Lu.

Mr. LU. Senator, thank you very much.

When I started to learn about Albania, I was amazed to learn that if you look at Albania's total trade picture, the United States represents less than 1 percent of Albania's trade. And yet, Albania is a very strong supporter of the United States. They are a NATO ally. There is a lot of affinity between our peoples. We have a very strong, robust, and proud Albanian American community in this country. Why should we have such a small trade relationship?

I think part of the answer lies in the business environment in Albania. It is tough to do business there. We have had American businesses go there and sometimes not have the best experience.

I am committed, if confirmed, to work in support of the efforts of the Albanian Government and people to fix that, to increase transparency for investors and for traders, to work on contract sanctity for business people, to create predictability for our business people who go there, and again in part because I think not only can we make money as Americans, we have something important to share with people who are opening up their markets to the world.

Senator JOHNSON. So right now you are saying that Albania represents pretty high risk investment scenarios. Is there a particular product or service area that might present a good opportunity, though?

Mr. LU. Albania has two main industries. One is agriculture, and we are a bread basket to the world. Not only can we export agricultural products in great amounts, we can also share some of our best practices of how we grow so effectively food in our country.

Second is minerals and oil and gas, again a place where Americans have real competitive advantage and we have top-level technologies.

So I think given the chance, we can be very effective there.

Senator JOHNSON. So areas like oil service and that type of thing.

Mr. LU. Absolutely.

Senator JOHNSON. Mr. Sherman.

Mr. SHERMAN. Senator, I think there are two areas. The first starts with TTIP. Obviously, the TTIP negotiations are very important and they are important to Portugal. One of the reasons they are important is by eliminating barriers for small businesses, that will benefit Portugal where over 90 percent of the business is small business. So allowing small business to get their goods to market in both directions will help significantly.

Second, Portugal is looking to move to a more innovative and technologically advanced economy. They are more of an agricultural economy right now. And drawing on my own experience in Massachusetts with the large Portuguese community that exists in Massachusetts, already I have received expressions of interest to help in this area from the Azorean and Portuguese business communities, from academic institutions. MIT, as an example, in Massachusetts already has a program with Portugal, and we can look to expand on those kinds of initiatives.

The Tech sector, innovation labs, entrepreneurship, those are all American tools that we can use to bring into Portugal and help deal with not only the problems the country is facing but specifically the problem of youth unemployment. Portugal is undergoing right now a brain drain. Its youth unemployment is so high that it is risking a lost generation where Portuguese youth graduate universities and they will leave for other parts of Europe or for the Lusophone countries around the world. So they are going to be interested in that kind of initiative, and I can draw on my private sector experience with these businesses, my experience in Massachusetts dealing with these areas and helping to make that connection in Lisbon.

Senator JOHNSON. Thank you very much.

Senator MURPHY. Senator Kaine.

Senator KAINE. Thank you, Mr. Chair.

Mr. Broas, great to see all the witnesses here and congratulations to each of you for these nominees.

Maybe I will start, Tim, with you. I had a wonderful experience when I was Governor in 2006 of visiting Afghanistan and Iraq to visit the Virginia National Guard troops that were in service. When we were in Afghanistan, we were talking to some of the senior American military leadership, and one of them said, so guess who are the toughest fighting partners we have. And you know, we guessed the United Kingdom. I think all four of the Governors guessed the U.K. They said the U.K is good but the best fighting partners we have are actually the Dutch. Sometimes the political leadership might tie their hands a little bit, but in terms of the actual, on-the-ground partnership with Americans serving in Afghanistan, they were very, very complimentary of the Dutch. And the Dutch contribution in Afghanistan has been a significant one.

And I just was hoping you might talk for a little bit about what are the best things we can do now to continue to maintain that strong United States-Netherlands tie on security issues.

Mr. BROAS. Senator Kaine, thank you. I am happy to see you here.

And thank you for asking about the Dutch cooperation in Afghanistan. Again, with all of the support they give us around the world, Afghanistan has been one of the most prominent examples. As you know, they were with us with about 1,800 troops in one of the most dangerous parts of Afghanistan. They subsequently withdrew them, and then they came back with another 1,000 troops and a police training force, also in one of the most dangerous parts of Afghanistan. And they have had their F-16s there for us as well, and I think a few other F-16s remain.

They are no longer present in Afghanistan, but if confirmed, one of the things I want to do is work with them, and with the administration, to see if they can return to Afghanistan to help us after the 2014 drawdown and to be a force there. They have been staunch supporters of the NATO efforts in Afghanistan and, as you know, in the Balkans and in Libya. So I expect and I hope that they will be receptive to coming and helping us after the drawdown, and I will do everything in my power, if confirmed, to see that that happens.

As you know, they have got some budget difficulties, which were announced recently in the opening of Parliament, and their defense budget has been reduced. However, notwithstanding that reduction, they did agree—and this has got to be approved by the Parliament, but they did agree that they will buy 37 of the F-35 Joint Strike Fighters, which is a substantial amount for any country, big or small. Again, I will do everything in my power to make sure that that commitment is carried through, and if they can purchase more, I will do everything I can to get them to do that.

And in terms of their overall budget negotiations, again they have had some economic problems recently. Their unemployment has gone up, and they are reducing their budget and trying to control expenses and finding ways to create revenue. And I will do ev-

everything in my power as Ambassador to work with them to help them to continue to be a strong and staunch NATO partner with us.

Senator Kaine. Great. Thank you, Mr. Boas.

Mr. Lu, let me ask you a question about Albania, a wonderful track record of being a strong U.S. ally. And I know one of the things you mentioned—and this country has been supportive of their effort to gain membership in the EU. I gather that has not yet been achieved. There may be among EU members some kind of fatigue about the enlargement of the EU. But I gather that one of the other issues is—I think you alluded to it when you said there are some challenges in doing business and one of the challenges has been some persistent difficulties with political corruption. I know there has been significant international aid to try to help them tackle that issue. And I just wondered if you would talk about your understanding of the status of those efforts and progress that is being made.

Mr. Lu. Senator Kaine, thank you very much for that important question.

The road to the EU for Albania is the strongest incentive they have to strengthen their democracy, to advance their economic reform, and to be a country that is at peace with its neighbors. We have endorsed at every level of this government their steps toward accession. Right now, the Albanian Government is trying to get candidate status, which is a status many of the western Balkan countries have right now, which is a status that would allow them to get some very specific assistance from the EU and some very specific criteria about what would be required to actually get membership into the EU.

As you rightly point out, one of the big issues is the fight against corruption and the fight against organized crime. And so we, the United States, have invested the majority of our assistance money in recent years to try to help Albania undertake the hard reforms that will be required for them to transform their society. Corruption is endemic in Albania. It exists at every level, senior, mid-ranking, and lower levels. It is in any society very difficult to get rid of.

We are today supporting programs that bring members of our Department of Justice, their prosecutors, to talk about how you develop a court system that is transparent and accountable. We have USAID advisors there helping them to design government procurement procedures that are fully transparent and fair. We have people advising on business practices that make it more open and transparent for investors. I hope through that assistance and the assistance with the EU that we can be successful in helping them make a difference in an issue that is, frankly, the number one issue for this incoming Albanian Government.

Senator Kaine. Great. Thank you, Mr. Lu.

And, Mr. Sherman, quickly. The chairman alluded in his opening comments that in the eurozone some of the economies seem to be stabilizing. Portugal is still having some challenges. And I should know the answer to this question, but that is why I come to these hearings and ask. Just talk to me a little bit about the current sta-

tus of the economic recovery in Portugal and what you see as sort of a likely scenario playing out over the next couple years.

Mr. SHERMAN. Senator, first, good to see you at this hearing, and second, I appreciate that question.

This has been a tough challenge for the Portuguese Government. The government received a sovereign bailout of approximately \$100 billion. Attached to that bailout were strict austerity measures. They were covenants of the bailout. The Portuguese have been model citizens in terms of implementing the measures that were required of them. But that has caused a great deal of pain among the Portuguese people.

In addition to that, they faced a challenge of some of the structural reforms that the government has put in place being struck down as unconstitutional under the Portuguese Constitution. That has required the government, which respects the decision of the constitutional court, to get creative. Currently the troika from the IMF, the European Central Bank, and the European Commission are in Portugal doing an assessment of the financial situation. There is some thought among some of the experts that Portugal may need an additional bailout before it can exit in 2014. The Portuguese Government itself has said that it would like a credit line to be put in place.

So I wish I had a crystal ball to say that I can see how this plays out. I think the answer is that the government is focused like a laser beam on these issues. The Portuguese people have been working hard to find a pathway back to prosperity. And as the United States Ambassador, I am prepared to do whatever I can to assist in accomplishing those goals.

Senator KAINE. Great. Thank you, Mr. Sherman.

Thank you, Mr. Chair.

Senator MURPHY. Thank you, Senator Kaine.

I just have two more questions in a second round.

First, Mr. Broas, we have been watching Geert Wilders in the Freedom Party, the PVV there, engage in a lot of pretty over-the-top anti-Muslim rhetoric, even suggesting recently that there should be a moratorium on the building of any new mosques. Without asking your detailed opinion of the level of anti-Muslim and anti-Islam rhetoric in the country, I just want to make sure that you will give us your commitment to work with our embassy staff there to do all that we can to try to push back on the growing anti-Islamic behavior of some small pockets of the political infrastructure in the Netherlands.

Mr. BROAS. Thank you, Senator Murphy, for asking that question. That is a very, very important question and a very important issue, and it is one that I look forward to working on as Ambassador, if I am confirmed.

Mr. Wilders is a polarizing figure, and he is given to extreme and provocative statements. I know that embassy officials have met with Mr. Wilders and members of his party in the past, and I expect that practice will continue. And I will certainly continue if confirmed.

But in the meantime, we will reach out to the communities, both Mr. Wilders' and his supporters' but also to the Muslim community and other religious communities that feel that they are being

marginalized or discriminated against. And we will do everything we can to engage with them and to promote American values of religious freedom and also freedom of expression.

Senator MURPHY. Thank you.

Mr. Lu, I just wanted to draw upon your experience in the region encompassing former Soviet Republics and client nations. Hopefully, our next hearing of the subcommittee will be on this question of the factors in play when countries like Azerbaijan or Georgia or the Ukraine make a decision in the coming years as to whether they orient east or west. The most immediate decision is going to be made when Ukraine at the Eastern Partnership hopefully signs an agreement to join in the EU or at least get on that path.

Can you just maybe talk about what you think is the most important tool in the American toolbox to try to prompt these nations who are, I would argue, experiencing new levels of pressure from the Russians to either join the Customs Union or affiliate at different levels politically or simply just turn their back on the EU and the West? What is the most important tool in our toolbox to try to combat this trend towards Russia essentially reestablishing a series of satellite nations?

Mr. LU. Senator Murphy, thank you. It is an interesting question, and I will venture a controversial answer.

I think the most useful tool that we have as a country to fight the increasing pressure of Russia and many other countries in the former Soviet space is actually something that government has nothing to do with. It is our cultural presence in these countries. And that goes for Albania and many other countries, that there is such a love for what the United States represents, it is in part values. It is in part what our young people are doing in the United States. It is what my kids are involved with. It is the technology that we represent. It is the open way that we talk about issues in the world. Yes, the government has something to do with that, but it is about letting people have insights into that society that we are able to project in the United States.

So I think the No. 1 best investment we have ever made in the countries that I have served in in the former Soviet Union has been our exchange program where we send high school students from those countries to the United States to study for a year, often in middle America, and they come back really understanding who we are. There is nothing that could be bought with an expensive USAID advisor or someone else that is equal to someone experiencing the United States in a personal way.

Senator MURPHY. A great answer.

Senator KAINE.

Senator KAINE. Just one more, really an observation, but it is inspired by the answer, Bob, that you were giving about the Air Force base in the Azores and how the reduction of it has a local effect that is discouraging to folks, especially in a tough economic time. But we are trying to work as a country to mitigate that effect.

I would just sort of hold that up as an example that we are all going to have to be dealing with, I suspect, I mean, as we are wrestling with sequestration. We all very much need to replace sequestration. I think that is shared. The Armed Services Committee of

the Senate, when we passed the defense authorizing bill, unanimously supported an amendment that said sequester is foolish. We need to replace it. And yet, even if we do replace it, it will be replaced with a mixture, I hope, of revenues and still cuts, and the cuts might be targeted rather than across the board but there will still be cuts. Some of those cuts will be in the defense space, and some of them may well impact on other bases that we have outside the United States.

And so using it as a little bit of a test case, what do we do that works? How do we allay fears? What are strategies that actually have the effect of mitigating some of the downside consequences? It is important to get it right in the particular instance, but it is also important to kind of catalog along the way what we learned what works and what does not because we may be facing other decisions in similar bases in Europe. I think the model these days seems to be kind of more flexible force than fixed force, you know, carriers that can be in the Atlantic or the Pacific or aviation assets that can be moved around. And these bases, obviously some to service naval and aviation operations, are important, but the physical real estate probably becomes less and less important as we make some of these decisions.

So I would just encourage you to—on that particular item, the work that you will be doing is not just work that is about the United States-Portugal relationship but it may be a template for other decisions that will happen in Europe and in other parts of the globe as well. You know, I am struck, Mr. Chair, that probably if you think about over the next century who we would look at as our principal competitor—I will not say “adversary.” I will say “competitor”—it might well be China. Well, they do not have military bases really outside their territory, and they only tend to get engaged on territorial matters. So they have a very different business model than we do about the projection of force, and fixed military bases is not part of their business model. And I suspect as we wrestle with some of our budgetary challenges, it might become a less important part of ours as well, at least insofar as those bases are in other countries. So just to encourage you on that. I think it is an important task that you will tackle in the United States-Portugal relationship, but we can learn from it in a way that we might need down the road.

Senator MURPHY. Thank you very much, Senator Kaine.

That will conclude our hearing today. You have all acquitted yourselves very well. We are going to keep the record open until the end of the day tomorrow for additional questions that members of the committee may have. If you get any, I hope that you will respond in a timely manner so that we can move forward expeditiously on moving your nominations through the process. Thank you very much for being here.

And with that, this meeting is adjourned.

[Whereupon, at 3:02 p.m., the hearing was adjourned.]

**NOMINATIONS OF JAMES BREWSTER, JR.,
CARLOS ROBERTO MORENO, AND BRIAN A.
NICHOLS**

THURSDAY, OCTOBER 3, 2013

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

James Brewster, Jr., of Illinois, to be Ambassador to the Dominican Republic
Hon. Carlos Roberto Moreno, of California, to be Ambassador to Belize
Brian A. Nichols, of Rhode Island, to be Ambassador to the Republic of Peru

The subcommittee met, pursuant to notice, at 2:30 p.m., in room SD-419, Dirksen Senate Office Building, Hon. Tom Udall, presiding.

Present: Senators Udall, Durbin, Kaine, and McCain.
Also Present: Senators Reed and Whitehouse.

**OPENING STATEMENT OF HON. TOM UDALL,
U.S. SENATOR FROM NEW MEXICO**

Senator UDALL. OK. Thank you, everybody, for being here today. And the hearing will come to—the subcommittee hearing of the Senate Foreign Relations Western Hemisphere will come to order.

Great to have you all here. I am sorry for the delay. In case some of you do not know, there was a shooting out in front of Hart, and apparently, a Capitol policeman, those really brave Capitol policemen that protect us, one of them was injured. And so, our thoughts and prayers go out to him, and we hope everything is going to settle down out there.

But thank you for hanging with us, and we will move through this with all due dispatch.

This afternoon, we will consider three important nominees in the Western Hemisphere. Peru, the Dominican Republic, and Belize represent three different regions of our hemisphere but are all important partners for the United States, as well as home to millions of people who are beginning to make the climb from poverty into the middle class.

Each country faces unique challenges. In the Dominican Republic, energy challenges have hampered economic development, and

the drug trade has contributed to corruption in many different sectors. But despite these negative trends, the Dominican Republic remains a place for opportunity for the region.

Mr. Brewster, if confirmed, you will have the important job of engaging the Dominican Republic on these and other issues important to both the United States and the Dominican Republic. And given the baseball enthusiasts there, you might be able to play some games with their future Major League baseball stars or work to leverage the success of Major League players to bring economic development and opportunities to their country, which you and I, I think, talked about in the last couple of days.

Peru is one of the countries that has really done things right during this decade. This past summer, I had the pleasure of meeting with the Peruvian President—President Humala. We discussed the economic growth and changes occurring within Peru.

Peru has definitely been a remarkable story and is playing a key role in the TTIP discussions. That being said, there are many things of mutual importance that are left for Peru and the United States to focus on together. Continuing our partnership to reduce the production of illicit drugs remains an important goal, but we should also not lose focus on the need to expand economic development to indigenous workers and villagers and the need to address environmental issues related to mining and heavy industry in order to ensure that this development occurs safely and sustainably.

Finally, Belize, which is one of the smaller countries in our hemisphere, is a place normally associated with tourism to the country's beaches and ancient Mayan ruins. While most Americans may associate Belize with these natural and archeological wonders, Belize plays an important role in regional security and, due to its location, is a major drug transit country.

For example, in August 2012, the U.S. Treasury Department announced sanctions under the Foreign Narcotics Kingpin Designation Act against three Belize residents who reportedly are key associates of Mexican drug trafficker Joaquin "El Chapo" Guzman, head of the Sinaloa cartel. These developments show that continued partnership is needed to go after these criminal organizations who have worked to destabilize the entire region.

Senators Feinstein, Durbin, Reed, and Whitehouse are here to introduce today's nominees. Senator Feinstein actually is unable to be here, and so I am going to perform her role at the end of when the other Senators do their introductions.

But before we move on to their introductions, I would like—Senator McCain is not here yet. I would like to welcome both Senator Kaine and Senator Durbin for being here. Senator Durbin, you are here. Good. So you are going to lead off.

And at this time, I would turn to Senator Durbin to introduce.

**STATEMENT OF HON. RICHARD J. DURBIN,
U.S. SENATOR FROM ILLINOIS**

Senator DURBIN. Thank you, Chairman Udall.

I appreciate the opportunity to be here today to introduce James "Wally" Brewster, who has been nominated by President Obama to be the next U.S. Ambassador to the Dominican Republic.

It is an honor for me to introduce Wally, a fellow Illinoisan, an international business leader in my State and around the world, and an advocate for human rights. Wally is also a friend who has helped educate me on the Dominican Republic and other issues that face us in the Western Hemisphere.

Wally's partner of 23 years, Bob Satawake, and I are also proud to share a common friend from the Chicago area, Barack Obama, our President. In fact, I believe Wally is joined here by Bob today. Thank you for joining us as well.

Wally's broad experience as a senior managing partner of an international consulting firm prepares him well for the challenges and opportunities of representing the United States overseas. His clients have included some of the world's top retail brands, businesses, and executives. Equally impressive, though, is Wally's work to make certain that people are treated fairly everywhere, regardless of their sexual orientation.

Wally came to see me here in Washington the other month. We talked about his extensive business experience and his travel to Latin America and the Caribbean. He reminded me that he has been visiting the Dominican Republic for many years, often for extended periods of time. His understanding and appreciation for the country and its people were evident.

I know that his unique understanding of the Dominican Republic, of our shared interests, of our future as partners in trade and in security will help to strengthen the ties of our two nations. I reminded him of my interest in that island, particularly in Haiti, which shares the island of Hispaniola with the Dominican Republic.

I have worked over the years to try to help that poor nation of Haiti with many, many issues, including poverty and water and the devastating deforestation. Haiti could learn a few things from its Dominican neighbors on protecting critical forests.

I am confident that Wally's extensive experience and leadership abilities will serve our people well and serve the United States of America. The relationship between our two countries is going to need continued work in the challenging years ahead, and I believe Ambassador Brewster will be the right person for that job.

Thank you, Mr. Chairman.

Senator UDALL. Thank you very much, Senator Durbin.

And let me also say that Senator Kaine has been a real advocate of Ambassador Brewster, and he has spoken with me a number of times about that. And so, I know he would echo what Senator Durbin said.

Senator Reed, please.

**STATEMENT OF HON. JACK REED,
U.S. SENATOR FROM RHODE ISLAND**

Senator REED. Well, thank you very much, Mr. Chairman.

And let me join you in saluting the Capital Police officers, who protect us every day and today particularly. An extraordinary group of men and women.

And I am delighted to be here with my colleague and my friend, Senator Sheldon Whitehouse, so that we can have the privilege of

introducing the Principal Deputy Assistant Brian Nichols, President Obama's nominee to be the next Ambassador to Peru.

Brian grew up in Providence, RI, and comes from a family with deep roots in Rhode Island. His late father, Charles, was a Fulbright Scholar in Denmark and then went on to teach for several decades at Brown University, where he founded what is now Brown's Department of Africana Studies.

Brian's mother, Mildred, who is here today, has had a full career of service and remains incredibly active in our community. She is a great community leader. She is serving currently as one of the directors on the board of Goodwill Industries.

Brian is also joined today by his wife, fellow senior Foreign Service officer Geri Kam, and their two daughters, Alex and Sophie, who are extraordinarily talented young ladies, and it was a privilege to meet them today.

Brian has had an outstanding career in the Foreign Service. He joined the Foreign Service shortly after graduating from Tufts University in 1987. He spent the past 25 years serving our country around the globe. He has a particularly deep understanding of the emerging issues in the Western Hemisphere.

He has served in Mexico and El Salvador as Deputy Chief of Mission, in Colombia as Director of the State Department's Office of Caribbean Affairs. Interestingly enough, should he be confirmed—and I would urge that—this post would take Brian back to Lima, where he served his first tour as a consular officer 25 years ago.

Brian understands how diplomacy works, and he recognizes the vital importance of strengthening our ties with our partners and neighbors in the Western Hemisphere. He has decades of experience working with the region's top leaders. From 2007 to 2010, he served as Deputy Chief of Mission in Bogota, Colombia, and led significant efforts to deepen the cultural, economic, and security-based ties between our two countries, and his success in this role has prepared him to take on the task of strengthening our relationship with Peru, another key Latin American partner.

He is extremely knowledgeable about the major security and human rights priorities in the region. In his current role as Principal Deputy Assistant Secretary for International Narcotics and Law Enforcement Affairs, Brian oversees our country's counter-narcotics and anticrime partnership with 85 countries, including Peru.

He has been instrumental in a broad spectrum of multilateral issues. He has led U.S. delegations to the United Nations and the Organization of American States on multiple occasions. And for his exceptional service, Brian has received the Presidential Meritorious Service Award and six Superior Honor Awards from the State Department.

Mr. Chairman, you realize what a vitally important role this is, and in my view, Brian has the right skills, experience, and dedication to the Nation that would qualify him to be our next Ambassador to Peru.

Thank you, Mr. Chairman.

Senator UDALL. Thank you very much, Senator Reed.

And we have been joined by Ranking Member Senator McCain. Great to have you here, Senator McCain.

And I think we will go to Senator Whitehouse to finish the introductions, and then if Senator McCain would like to make any statements.

**STATEMENT OF HON. SHELDON WHITEHOUSE,
U.S. SENATOR FROM RHODE ISLAND**

Senator WHITEHOUSE. Thank you, Chairman Udall, Senator McCain, Senator Durbin.

It is a great pleasure to have the opportunity today to join my senior Senator, Jack Reed, in introducing our fellow Rhode Islander, Brian Nichols. As a child and grandchild and nephew of Foreign Service officers, I have a particular appreciation for the men and women who, with their families, put public service ahead of their comfort, of their convenience, and often even their safety.

My father served in Cambodia, South Africa, Congo, Guinea, Vietnam, Laos, and Thailand, and some of those foreign postings were challenging. Those postings and the sacrifices that came with them left a very strong impression on me that something was worth it. Something was worth the danger and the family separations and everything else.

While my family never talked much about what that something was, I can say today that it has a lot to do with what America means, both to its citizens and to those around the world. Even in these days of division here at home, America continues to shine as a beacon of light into some of the world's darkest corners.

And our Foreign Service officers are very often the bearers of that light. They are America's representatives to the world, and I am grateful for their service. Brian Nichols is a fine example.

After growing up in Providence, RI, and attending Moses Brown, the rival school to my children's Wheeler, Brian ultimately joined the Foreign Service and began his Foreign Service career in Peru. He went on to serve in El Salvador, Mexico, Colombia, and Indonesia, and he currently serves as Principal Deputy Assistant Secretary of State.

I would also like to note that Brian's wife, Geri Kam, who is here with him today, is also a career Foreign Service officer who currently runs the State Department's leadership training for Ambassadors and Deputy Chiefs of Mission. I thank both of them for their service, and I would also like to join Jack in recognizing Alex and Sophie and also Brian's mom, who still lives in Providence.

Mr. Chairman, the committee today will consider Brian's nomination to serve as Ambassador to Peru, bringing his career full circle to his first posting. I appreciate very much his dedicated career, and I am honored to join my senior Senator and him here today.

Thank you very much.

Senator UDALL. Senator Whitehouse, thank you very much.

And I know that all the Senators doing introductions are very busy. You are happy and we would love to have you join us, but if you need to take off, we fully understand.

The Honorable Carlos Moreno, Senator Feinstein asked me to read your introduction, and I am going to do that because I think every nominee is entitled to have a good, solid introduction from a home State Senator, and she obviously feels very strongly about you. And she asked me to do that.

She says, "I regret very much that I cannot attend today's hearing, but I would like to offer my heartfelt and strong support for a good friend of mine, Justice Carlos Moreno, who has been nominated to serve as United States Ambassador to Belize.

"I know Justice Moreno very well. He has a powerful intellect, he has a good heart, and he has sound judgment. The son of Mexican immigrants, Justice Moreno grew up in east Los Angeles. He was first in his family to graduate from college, attending Yale on a scholarship and graduating in 1970.

"He earned his law degree from Stanford Law School in 1975. He then worked at the city attorney's office, in private practice, and as a judge at two levels of our State judicial system. In 1997, I recommended him to President Clinton for appointment to the District Court in Los Angeles. I knew then that he was a "10," and I was very proud to introduce him to my colleagues on the Judiciary Committee and to support his nomination on the floor of the Senate.

"In fact, I was not the only member to speak on Justice Moreno's behalf on the floor. Senator Hatch did, too. Senator Leahy did so. And he was confirmed 96-0. The reason is, to quote a letter from then-Los Angeles County Sheriff Sherman Block, that Justice Moreno 'is an extremely hard-working individual of impeccable character and integrity.'

"In 2001, Justice Moreno was appointed by Governor Gray Davis to serve on the Supreme Court of California. I was very sorry to see him leave the Federal District Court, but I knew Governor Davis had chosen an outstanding individual to serve on our State's highest court.

"Anyone who has followed California law since then knows that Justice Moreno served with great distinction, writing with clarity and passion, and he served as an inspiration to our State.

"In 2008, I invited him to serve on my bipartisan judicial advisory committee in Los Angeles. I use these committees to advise me on whom to recommend to the President for seats on the United States District Courts.

"Over the last 5 years, I have come to rely on Justice Moreno's fine judgment and sound advice in making these important appointments. Unfortunately, his nomination to serve as Ambassador meant that Justice Moreno had to leave my judicial advisory committee behind. I will miss his advice on judicial appointments a great deal, but I believe very strongly that Justice Moreno's record shows he has the intellect, judgment, compassion, and temperament to serve our Nation very well as Ambassador.

"I urge my colleagues to support his nomination, which I hope can move through the Senate quickly. Thank you very much."

Senator UDALL. She obviously feels very strongly about you.

And with that, Senator McCain, I am going to turn to you for any opening or any comments that you might like to make.

Senator MCCAIN. I have none. I thank you, Mr. Chairman.

Senator UDALL. Thank you very much, Senator McCain.

I am going to start with, first, the testimony on the left with Mr. Brewster, and then we will move to Justice Moreno, and then Mr. Nichols.

So please proceed.

**STATEMENT OF JAMES BREWSTER JR., OF ILLINOIS, TO BE
AMBASSADOR TO THE DOMINICAN REPUBLIC**

Mr. BREWSTER. Thank you, Mr. Chairman.

And members of the committee, thank you for allowing me to appear here before you today.

I am honored to be President Obama's nominee to be the next U.S. Ambassador to the Dominican Republic. I would like to express my gratitude to President Obama for his confidence in nominating me, as well as Secretary Kerry for his trust in me as well.

Senator Durbin, it is always an honor to have been introduced by you today, but it is also an honor to be your friend and also to see your leadership and support.

I would like to also introduce Bob Satawake, my partner, who Senator Durbin acknowledged earlier. Bob has lived with me and supported me for over 25 years in all of my endeavors and is certainly a partner on this journey as well. I am grateful for his presence here today, and I am grateful to have him with me.

My parents, James and Patsy Brewster, also join me in spirit. They have taught me to have a strong faith, never judge others, always be tolerant, and treat everyone with the same dignity and respect that I expect from others. If confirmed, I will take those principles with me to the Dominican Republic.

I have been fortunate to study commerce and human behavior during my past 30 years in the private sector. As an executive with SB&K Global, General Growth Properties, and the Rouse Company, I have used these skills to assist in building new cities and developing world-renowned shopping and entertainment destinations across the United States and Brazil.

I have created strong public and private partnerships and brought commerce to the United States through business partnerships around the globe. If confirmed, I will take these strategic skills to the Dominican Republic with me.

One primary focus, if confirmed, will be citizen security, one of President Medina's and our Government's highest priorities. There is already very strong U.S. cooperation with Dominican authorities to prevent crime, combat illicit trafficking, and improve respect for human rights.

The cornerstone of this effort is the Caribbean Basin Security Initiative, or CBSI, in which the Dominican Republic is a valued partner. If confirmed, I will encourage the Government of the Dominican Republic to continue its high-profile role in these and other initiatives to maximize regional security efforts. One cannot effectively tackle crime and improve the lives of citizens without addressing the root causes and putting in place government controls to prevent corruption and increase transparency.

The Dominican Republic is a young democracy that has made progress in promoting fundamental freedoms. However, if these are not accompanied by economic advancements and social inclusion, democracy itself will be undermined.

If confirmed, I will use the tools at my disposal, in close consultation with this committee and Congress, to advocate for policies that foster economic and social justice for the benefit of the Dominican society and their relationships with the United States. I want to support President Medina's efforts to eradicate illiteracy, increase

and strengthen public education, and improve public health in the Dominican Republic to ensure that the poor and the historically marginalized populations are not left behind as the Dominican Republic's economy grows.

I will also focus on education. A strong education opens the doors to opportunity. Last year, the Dominican Republic announced it will spend 4 percent of its national budget on education. If confirmed, I will continue to build on innovative educational programs offered by the United States for people across Dominican society, including marginalized populations.

Another priority, if confirmed, will be the protection of the environment. As we develop the Dominican Republic, we must develop a stronger and more resilient energy sector and transition to cleaner, cheaper sources of energy. I will do my utmost to facilitate connections with our innovative private sector and the Dominican Republic's energy sector.

Mr. Chairman, Martin Luther King said, "The ultimate measure of a man is not where he stands in the moment of comfort and convenience, but where he stands at times of challenge and controversy." I have already begun to see the challenges I will face in this job, but the rewards of representing the American people, creating a more prosperous hemisphere, and strengthening democracy through our evolving relationship with the Dominican Republic will be far greater than any challenge I will ever encounter.

Mr. Chairman and members of this committee, thank you for your opportunity to allow me to be here today. Should I be confirmed, I will be honored to work on our strong and valued relationship with the Dominican Republic.

Thank you, and I look forward to your questions.

[The prepared statement of Mr. Brewster follows:]

PREPARED STATEMENT OF JAMES "WALLY" BREWSTER

Mr. Chairman and members of the committee, thank you for inviting me to appear before you today. I am honored to be President Obama's nominee to be the next United States Ambassador to the Dominican Republic. I would like to express my gratitude to President Obama for his confidence in nominating me and to Secretary Kerry for his trust as well.

Senator Durbin, it is an honor to have been introduced by you today. I am grateful for your leadership, friendship, and support. I would like to introduce my partner, Bob Satawake. Bob has lived with me and supported me for over 25 years in all my endeavors and is certainly a partner on this journey as well. I am grateful for his presence here today. My parents, James and Patsy Brewster, also join me in spirit. My father is too ill to join us today and my mother has left this earth but both are always with me as are the principles they instilled in me. They taught me to have a strong faith, never judge others, always be tolerant, and treat everyone with the same dignity and respect that I expect from others. They taught me to help those less fortunate, help others through this life, and always love not hate. If confirmed, I will take those principles with me to the Dominican Republic.

I have been fortunate to study commerce and human behavior during my past 30 years in the private sector. As an executive with SB&K Global, General Growth Properties, and The Rouse Company, I have used these skills to assist in building new cities and developing world-renowned shopping and entertainment destinations across the United States and Brazil. I have created strong public/private partnerships and brought commerce to the United States through business partnerships around the globe. If confirmed, I will take these strategic skills to the Dominican Republic.

Mr. Chairman, the President offered me a unique opportunity when he nominated me to be Ambassador to the Dominican Republic. I have developed a sincere appreciation for the country over the past decade through my opportunities to visit and owning a home there for several years. I am thrilled that, if confirmed, I will be

able to continue my efforts to build deeper, stronger bonds between the Dominican Republic and the United States as U.S. Ambassador.

The United States and the Dominican Republic share a relationship that incorporates business, trade, sports, and culture. However, I firmly believe the most valuable bonds are the family ties that link our two countries. There are well over a million people of Dominican descent in the United States and over a hundred thousand Americans who have made their home in the Dominican Republic. Then there are the over one million American tourists who visit every year, creating and enhancing ties with each visit.

One primary focus, if I am confirmed, will be citizen security, one of Dominican President Danilo Medina's highest priorities. There is already very strong U.S. cooperation with Dominican authorities to prevent crime, combat illicit trafficking, and improve respect for human rights. The cornerstone of this effort is the Caribbean Basin Security Initiative, or CBSI, in which the Dominican Republic is a valued partner. CBSI provides training and technical assistance to Dominican law enforcement and justice authorities on topics such as police reform and accountability, criminal prosecution, reduction of corruption, money laundering, and preventing and responding to gender-based violence. It also enhances port security, makes justice services more accessible, and supports the professionalization of the Dominican armed services. No one country alone can fight the rise in criminal activity in the Caribbean. If confirmed, I will encourage the Government of the Dominican Republic to continue its high-profile role in these and other initiatives to maximize regional security efforts. One cannot effectively tackle crime and improve the lives of citizens without addressing root causes and putting in place government controls to prevent corruption and increase transparency. The Dominican people realize this and have demonstrated close and highly effective cooperation with the United States to confront these problems.

The Dominican Republic is a young democracy that has made progress in promoting fundamental freedoms. However, if these are not accompanied by economic advancement and social inclusion, democracy itself will be undermined. If confirmed, I will use the tools at my disposal—in close consultation with this committee and Congress—to advocate for policies that foster economic and social justice for the benefit of Dominican society. I want to support President Medina's efforts to eradicate illiteracy, strengthen public education, and improve public health in the Dominican Republic, to ensure that the poor and historically marginalized populations are not left behind as the Dominican Republic's economy grows.

I believe the Dominican Republic can use its regional leadership to encourage democratic development and greater respect for human rights throughout the hemisphere. If confirmed, I will encourage the Dominican Republic to expand engagement with partner countries in Latin America and the Caribbean to strengthen effective democratic institutions to protect and preserve human rights.

While there are rising levels of political and personal freedom in the Dominican Republic, work remains to ensure all its citizens can fully participate in society. If confirmed, I will work to increase attention to social inclusion and protection of historically marginalized groups. I will continue our efforts to support civil society, vulnerable populations, and the disenfranchised. Everyone deserves human dignity and respect. Including diverse sectors of the population in the decisionmaking process to solve shared problems and reduce barriers to discrimination is a strategic and effective way to strengthen all societies.

I will also focus on education. A strong education opens the doors to opportunity. Last year, the Dominican Republic announced it will spend 4 percent of the national budget on education. If confirmed, I will continue to build on innovative educational programs offered by the United States for people across Dominican society, including marginalized populations. These tools increase knowledge, level the playing field, and lead to more Dominican students studying in the United States, and then returning home to practice the skills they learn in the United States. Learning English is one key to unlock new opportunities, and I will continue to support quality English teaching in the Dominican Republic. I will do my utmost to promote the President's 100,000 Strong in the Americas initiative so greater numbers of U.S. and Dominican students can benefit from the experience of studying abroad.

Another priority, if confirmed, will be protection of the environment. As the President noted in a speech earlier this year, though America's carbon pollution fell last year, global carbon pollution rose to a record high; we must recognize that developing countries are especially vulnerable to the effects of climate change. This is particularly true in the Caribbean. As we help the Dominican Republic develop a stronger and more resilient energy sector and transition to cleaner, cheaper sources of energy, I will do my utmost to facilitate connections with our innovative private sector and the Dominican Republic's energy sector.

Likewise, one of the major sources of knowledge and capital at my disposal, if confirmed, will be the Dominican diaspora in the United States. I have many wonderful Dominican friends whose contributions to my life and Dominican society cannot be understated. I look forward to engaging other elements of this vibrant community to get a sense of what their concerns are, show them the work our mission is doing in the Dominican Republic, and determine how we can work together to create even more powerful synergies and increase investment.

Mr. Chairman, Martin Luther King said: "The ultimate measure of a man is not where he stands in moments of comfort and convenience, but where he stands at times of challenge and controversy." I have already begun to see the challenges and controversies I will face in this job, but the rewards of representing the American people, creating a more prosperous hemisphere, and strengthening democracy through our evolving relationship with the Dominican Republic will be far greater than any challenge or controversy I will ever encounter.

Mr. Chairman, members of the committee, thank you for the opportunity to appear before you. Should I be confirmed, I will be honored to work on our strong and valued relationship with the Dominican Republic.

Senator UDALL. Thank you, Mr. Brewster.
And please proceed, Justice Moreno.

**STATEMENT OF HON. CARLOS ROBERTO MORENO, OF
CALIFORNIA, TO BE AMBASSADOR TO BELIZE**

Mr. MORENO. Thank you, Mr. Chairman, members of the committee.

It is a deep privilege to appear before you today, and I am honored by the trust President Obama has placed in me with this nomination that I serve as the next United States Ambassador to Belize. If confirmed, I look forward to working with you and your colleagues in Congress to protect our citizens in Belize and to advance the interests of the United States.

With the chairman's permission, I would like to acknowledge my wife, Christine, who has joined me here today. As well, two of the three of my children are here, Keiko and Nicholas. I am extremely grateful to them for the support they have given me through my many years in public service and for their continuing support as I look forward to serving my country in a new capacity.

Given Belize's geography, its proximity to our borders, and its vulnerability to the rising influence of drug trafficking organizations in Central America, its significance to our national security is obvious and enormous. These, indeed, are challenging times in Belize. Gang-related violence has soared in recent years, and Belize now has the sixth-highest per capita murder rate in the world and the third-highest murder rate in Central America.

Over 40 percent of the population lives below the poverty line, and 50 percent of the population is under the age of 25. It has the third-youngest population in the Western Hemisphere. Belize suffers from the highest HIV/AIDS prevalence rate in Central America and the fifth-highest in the Caribbean.

And with limited educational and economic opportunities, Belize's young people are increasingly vulnerable to recruitment by gangs and criminal organizations that utilize the country as a major transit point for trafficking drugs, illicit precursor drugs, weapons, and people.

Foreign assistance from the United States has done much to help Belize meet these challenges. Peace Corps, Coast Guard, U.S. Southern Command, U.S. Customs, and ICE are all addressing these challenges in very positive and targeted ways.

As one example, the Central America Regional Security Initiative is also funding initiatives to professionalize police and train prosecutors, develop community policing programs, deploy new technologies in law enforcement, provide education and training for former gang members, and help at-risk young people make the right choices and stay out of gangs.

Throughout my decades of public service, first as a prosecutor and later as a judge on our State and Federal courts, I have had the opportunity to work with numerous law enforcement agencies and have witnessed their skill, commitment, and dedication. I have a profound respect for their professionalism and a great appreciation for the wisdom Congress has shown in funding programs that enable them to share that professionalism with their counterparts in Belize and elsewhere in the region.

If confirmed, I will ensure that our foreign assistance funds are used wisely and efficiently. Helping the Government of Belize strengthen its rule of law will be one of my top priorities. Rule of law not only establishes equality and fairness under law, but it also promotes citizen security for Belizeans and our own citizens and lays a stable foundation for much-needed economic development in Belize.

The United States and Belize share a strong friendship, and if confirmed, I will work with you to deepen and to strengthen that friendship. I will strive to enhance our national security by helping Belize become a stronger, more secure, more prosperous partner for the United States. In fact, the United States is Belize's principal trading partner and major source of investment funds.

I will seek to promote U.S. business interests and investment in Belize by advocating policies that enable free and fair trade, improve the business climate, and curb corruption. I will work to help Belize build its capacity to protect its cultural heritage and environment.

As you know, Belize is endowed with magnificent Mayan archeological sites, pristine forests, and incredibly beautiful coral reefs. These natural endowments draw 900,000 American tourists to Belize every year. And if well managed and if sustained, they will continue to generate hundreds of millions of dollars in annual revenue for Belize for generations to come.

Finally, tens of thousands of American ex-patriots live in Belize. I will work to ensure the safety and well-being of all American citizens living in or visiting Belize, and I will provide a safe and secure working environment for American and Belizean staff serving in our Embassy.

Mr. Chairman, committee members, I thank you again for your generous time and attention today and for your consideration of my nomination to be America's next Ambassador to Belize. And I, too, welcome any questions you may have.

[The prepared statement of Mr. Moreno follows:]

PREPARED STATEMENT BY JUSTICE CARLOS MORENO

Mr. Chairman, members of the committee, it is a privilege to appear before you today. I am deeply honored by the trust President Obama has placed in me with his nomination that I serve as the next United States Ambassador to Belize. If confirmed, I look forward to working with you and your colleagues in Congress to protect our citizens in Belize and to advance the interests of the United States.

With the chairman's permission, I would like to acknowledge my wife, Christine, who has joined me here today. Two of my three children are here, Keiko and Nicholas. I am extremely grateful to them for the support they have given me through my many years in public service, and their continuing support as I look forward to serving my country in a new capacity.

Given Belize's geography, its proximity to our borders, and its vulnerability to the rising influence of drug trafficking organizations in Central America, its significance to our national security is enormous.

These are challenging times in Belize. Gang-related violence has soared in recent years, and Belize now has the sixth-highest per capita murder rate in the world, and the third-highest murder rate in Central America. Over 40 percent of the population lives below the poverty line, and 50 percent of the population is under the age of 25. It has the third-youngest population in the Western Hemisphere. Belize suffers from the highest HIV/AIDS prevalence rate in Central America, and the fifth-highest in the Caribbean. With limited educational and economic opportunities, Belize's young people are increasingly vulnerable to recruitment by gangs and criminal organizations that utilize the country as a major transit point for trafficking drugs, illicit precursor chemicals, weapons, and people.

Foreign assistance from the United States has done much to help Belize meet these challenges: Peace Corps Volunteers are working on health initiatives. The U.S. military assisted Belize in establishing its Coast Guard and just last month the Coast Guard graduated its first class of SEALs, trained to the highest standards by U.S. Navy SEALs. Earlier this year, a U.S. Southern Command New Horizons exercise helped build and renovate schools and brought medical and veterinary services to thousands of Belizeans. Similar exercises are being planned for the future. U.S. Customs and Border Protection is working to assist Belize to secure its borders and ports of entry, and U.S. Immigration and Customs Enforcement is working with the Belizeans to curb gang violence. The Central America Regional Security Initiative is funding initiatives to professionalize police and train prosecutors, develop community policing programs, deploy new technologies in law enforcement, provide education and training for former gang members, and help at-risk young people make the right choices and stay out of gangs.

Throughout my decades of public service, first as a prosecutor, and later as a judge on our State and Federal courts, I have had the opportunity to work with numerous law enforcement agencies and have witnessed their skill, commitment, and dedication. I have a profound respect for their professionalism and a great appreciation for the wisdom Congress has shown in funding programs that enable them to share that professionalism with their counterparts in Belize and elsewhere in the region. If confirmed, I will work to ensure that our foreign assistance funds are used wisely and efficiently.

Helping the Government of Belize strengthen its rule of law will be one of my top priorities. Rule of law not only establishes equality and fairness under law, but it also promotes citizen security for Belizeans and our own citizens, and lays a stable foundation for much-needed economic development in Belize.

The United States and Belize share a strong friendship, and, if confirmed, I will work with you to deepen and strengthen that friendship. I will strive to enhance our national security by helping Belize become a stronger, more secure, more prosperous partner for the United States. The United States is Belize's principal trading partner and major source of investment funds. I will seek to promote U.S. business interests and investment in Belize by advocating policies that enable free and fair trade, improve the business climate, and curb corruption.

I will work to help Belize build its capacity to protect its cultural heritage and environment. Belize is endowed with magnificent Mayan archeological sites, pristine forests, and incredibly beautiful coral reefs. These natural endowments draw 900,000 American tourists to Belize every year, and—if well managed—they will continue to generate hundreds of millions of dollars in annual revenue for Belize for generations to come.

An estimated 70,000 Belizeans now live in the United States—the largest Belizean community outside Belize. Tens of thousands of American expatriates live in Belize. I will work to ensure the safety and well-being of American citizens living in, or visiting, Belize. And I will provide a safe and secure working environment for our American and Belizean staff serving at our Embassy.

Mr. Chairman, committee members, I thank you again for your generous time and attention today and for your consideration of my nomination to be America's next Ambassador to Belize. I welcome any questions you have.

Senator UDALL. Thank you very much, Justice Moreno.
Please proceed, Mr. Nichols.

**STATEMENT BRIAN A. NICHOLS, OF RHODE ISLAND, TO BE
AMBASSADOR TO THE REPUBLIC OF PERU**

Mr. NICHOLS. Mr. Chairman and distinguished members of the committee, it is an honor to appear before you today as the President's nominee to be the next United States Ambassador to Peru.

I joined the Foreign Service in 1989, and in the nearly 25 years since, I have had the privilege to appear before Congress a number of times. This, however, is my first as a nominee. The lights are a little brighter today.

Fortunately, they provide a fitting stage for me to recognize my beautiful wife, Geri, also a career Senior Foreign Service officer; my daughters, Alex and Sophie; and my mother, Mildred. Their love and wisdom has made each day better than the one before it.

I would also like to thank President Obama and Secretary Kerry for their confidence in me.

My father served as a Fulbright Scholar in Denmark and taught American studies in Germany. We moved to Providence, RI, in 1969 when I was 3, a fantastic place to grow up, by the way. My parents nurtured a desire to serve my country, a lifelong love of learning, and a wanderlust that made the Foreign Service a perfect career.

I have had the great fortune to represent America's values and advance our goals in Indonesia and throughout the Western Hemisphere, including in El Salvador, Mexico, the Caribbean, and Colombia. Should I be confirmed, I will return to Peru, where in 1989, I served my first tour as a newly commissioned officer.

The late 1980s and early 1990s was a difficult time in Peru with terrorism, political repression, and hyperinflation afflicting rich and poor alike. I saw in the Peruvian people a tireless work ethic, unflagging optimism that they could change their own fate, and a tremendous warmth in welcoming me.

The people of Peru shaped a different future. Today, the Republic of Peru is one of America's strongest partners in the hemisphere. In 2012, our two nations shared nearly \$16 billion in bilateral trade. Over the last decade, our exports to Peru have increased fourfold.

Peru tops South America in terms of economic growth over the last two decades. It is a nation with ambition and a vision for free markets, inclusive democracy, respect for the environment, and energy security. It is a country with enormous pride, great people, and a resolute determination to advance the causes of security, prosperity, and human rights. Peruvians are championing these causes domestically, regionally, and globally.

Peru is also an unwavering partner of the United States in the fight against terrorism, transnational crime, and the scourge of cocaine trafficking. Peru's success in delivering serious blows to the Shining Path insurgency, including most recently against its second- and third-highest leaders in August, underscores its remarkable commitment to fighting transnational crime and drug trafficking. Peru has done all this, all the while working vigorously to create licit economic opportunities and safe communities for its people.

My two most recent Foreign Service assignments will be particularly helpful, should the Senate confirm me to serve as Ambassador

to Peru. As Deputy Chief of Mission at our neighboring Embassy in Bogota from 2007 to 2010, I had the privilege to lead an Embassy staff of more than 4,000 people who worked tirelessly to support a shared vision for security and economic goals.

When I departed post, our locally engaged staff was more diverse than ever in terms of background and expertise, morale was high, management controls tight, and our relationships with the people of Colombia the strongest they had ever been.

In the 3 years since, I have helped to direct the State Department's rule of law, anticrime, and counternarcotics programming around the world, including in Peru. As the Principal Deputy Assistant Secretary for International Narcotics and Law Enforcement Affairs, I have been humbled to lead a team of nearly 7,000 professionals who work every day to expand access to justice, protect civilians, and combat crime around the world.

We are most successful when our efforts support the plans of the governments we are assisting. Partner governments must be in the driver's seat for planning, achieving, and sustaining a vision. This is an important principle that I will carry with me for the rest of my career.

Senators, thank you sincerely for your time today and for your support. Should the Senate confirm me, I pledge to serve with the utmost respect for the burgeoning ties that bind our countries. I will aim to always exemplify the highest standards of our great Nation while doing so.

I look forward to partnering with you to advance America's interests in Peru and stand ready to answer any questions you might have now and in the future.

Thank you.

[The prepared statement of Mr. Nichols follows:]

PREPARED STATEMENT OF BRIAN A. NICHOLS

Mr. Chairman and distinguished members of the committee, it is an honor to appear before you today as the President's nominee to be the next United States Ambassador to the Republic of Peru.

I joined the Foreign Service in 1989 and in the nearly 25 years since, I have had the privilege to appear before Congress a number of times. This, however, is my first as a nominee. The lights are a little brighter today. Fortunately they provide a fitting stage for me to recognize my beautiful wife, Geri, also a career Senior Foreign Service officer, my daughters, Alex and Sophie, and my mother, Mildred. Their love and wisdom has made each day better than the one before it. I would also like to thank President Obama and Secretary Kerry for their confidence in me.

My father served as a Fulbright Scholar in Denmark and taught American studies in Germany. We moved to Providence, RI, in 1969 when I was 3—a fantastic place to grow up by the way. My parents nurtured a desire to serve my country, a lifelong love of learning, and a wanderlust that made the Foreign Service a perfect career. I have had the great fortune to represent America's values and advance our goals in Indonesia and throughout the Western Hemisphere including in El Salvador, Mexico, the Caribbean, and Colombia. Should I be confirmed, I will return to Peru where, in 1989, I served my first tour as a newly commissioned officer.

The late 1980s and early 1990s was a difficult time in Peru with terrorism, political repression, and hyperinflation afflicting rich and poor alike. I saw in the Peruvian people a tireless work ethic, unflinching optimism that they could change their own fate, and tremendous warmth in welcoming me. The people of Peru shaped a different future.

Today, the Republic of Peru is one of America's strongest partners in the hemisphere. In 2012, our two nations shared nearly \$16 billion in bilateral trade. Over the last decade, our exports to Peru have increased fourfold. Peru tops South America in terms of economic growth over the last two decades. It is a nation with ambition and a vision for free markets, inclusive democracy, respect for the environment,

and energy security. It is a country with enormous pride, great people, and a resolute determination to advance the causes of security, prosperity, and human rights. Peruvians are championing these causes domestically, regionally, and globally.

Peru is also an unwavering partner of the United States in the fight against terrorism, transnational crime, and the scourge of cocaine trafficking. Peru's success in delivering serious blows to the Shining Path insurgency, including most recently against its second- and third-highest leaders in August, underscores its remarkable commitment to fighting transnational crime and drug trafficking.

Peru has done this all the while working vigorously to create licit economic opportunities and safe communities for its people.

My two most recent Foreign Service assignments will be particularly helpful, should the Senate confirm me to serve as Ambassador to Peru. As Deputy Chief of Mission at our neighboring Embassy in Bogota from 2007 to 2010, I had the privilege to lead an Embassy staff of more than 4,000 people who worked tirelessly to support a shared vision for security and economic goals. When I departed post, our locally engaged staff was more diverse than ever in terms of background and expertise, morale was high, management controls tight, and our relationships with the people of Colombia the strongest they had ever been.

In the 3 years since, I have helped to direct the State Department's rule of law, anticrime, and counternarcotics programming around the world, including in Peru. As the Principal Deputy Assistant Secretary for International Narcotics and Law Enforcement Affairs, I've been humbled to lead a team of nearly 7,000 professionals who work every day to expand access to justice, protect civilians, and combat crime around the world. We are most successful when our efforts support the plans of the governments we are assisting. Partner governments must be in the driver's seat for planning, achieving, and sustaining a vision. This is an important principle that I will carry with me for the rest of my career.

Senators, thank you sincerely for your time today and for your support. Should the Senate confirm me, I pledge to serve with the utmost respect for the burgeoning ties that bind our countries. I will aim to always exemplify the highest standards of our great Nation while doing so. I look forward to partnering with you to advance America's interests in Peru and stand ready to answer any questions you might have now and in the future.

Senator UDALL. Thank you, Mr. Nichols.

And the full statements of all the witnesses will be put into the record.

Mr. Nichols, Peru's economy has seen continual growth, but not all of this growth has reached the people of Peru. What is the United States doing to work with the Peruvian Government and businesses to help improve the economic opportunities for all Peruvians?

Mr. NICHOLS. Thank you, Mr. Chairman.

Peru has made tremendous progress in reducing poverty. It has cut it in half in the last decade. It has dramatically reduced infant mortality, and it has increased its trade around the world dramatically.

We are working with them intensively, focusing on those regions in Peru where poverty is most acute. We are deploying programs from the U.S. Agency for International Development that improve health care, target education for vulnerable populations. We are working with them to improve the environment in vulnerable regions, and we are working with a very committed Humala administration to deliver the benefits of growth to all Peruvians.

Senator UDALL. Thank you very much, Mr. Nichols.

Mr. Brewster, as I mentioned in my introduction, one of the reasons economic growth has been hampered in the Dominican Republic is a result of the country's poor infrastructure, specifically the reliability of the electrical grid. What types of reforms and plans should the Dominican Republic enact to improve this problem, and

how can U.S. foreign investment be used to improve the electrical situation?

Mr. BREWSTER. Thank you, Mr. Chairman, for the question.

It is a significant problem in the Dominican Republic, and it hampers the opportunity for growth of business in a lot of areas and also for the citizens of the Dominican Republic. I know President Medina is committed to resolving this situation.

They are 100 percent dependent on outside oil, which a third of that is currently coming from their relationship with the Venezuelan Government and Petrocaribe. That is something that is becoming a little more unstable, as we all know, and we want to make sure that we provide and work with the Dominican Government on securing alternative options for them.

There are a lot of activity that is happening between the Dominican Government and U.S. business currently right now. We are in an agreement with President Medina and a private U.S. company to begin to build a generation plant that is fueled by natural gas that will go online in 2015. We also are in agreements on a coal plant.

But the objectives long term that we all need to focus on is renewable energies and clean energy. And the objective, if confirmed, that I would have is to work with the country team and the appropriate departments and the Medina administration to make sure that we can continue to resolve this problem with the electricity grid and also provide clean energy solutions and affordable energy solutions that are provided by U.S. business to take their dependence from other countries.

Senator UDALL. Thank you very much, Mr. Brewster.

Justice Moreno, you have a lengthy and distinguished career in the law. And with regards to some of the ongoing border disputes with Guatemala and the referendum to bring the case to the ICJ, how do you envision your role in this territorial dispute, and what role should the United States play to help resolve this dispute?

Mr. MORENO. Thank you for the question.

The United States, I think, should continue to support the OAS-brokered negotiation and referral to the International Court of Justice. As we know, the referendum was to occur just on October 6, and that has been postponed.

Notwithstanding that postponement, the special agreement, which in the first instance agrees to refer the matter to the OJC, is still in effect. So I would continue to support those efforts.

We must remember that the border dispute has roots going back almost 200 years, and I think that the International Court of Justice is the best approach. And I would continue to support that.

Senator UDALL. Thank you, Justice Moreno.

Senator McCain.

Senator McCAIN. Thank you, Mr. Chairman.

And congratulations to the nominees. I am sure you will serve our Nation with honor and distinction.

Mr. Brewster, what, in your present position as the managing partner of—what does your company do?

Mr. BREWSTER. Yes, sir. We help large companies, Fortune 500 companies, and also individual executives in the development areas, as well as looking at how to engage them in re-evolving and

rebranding their companies, as my studies have been on human behavior and how different generations will evolve over the next 20 years.

It is a consultancy firm.

Senator MCCAIN. Have you ever been to the Dominican Republic?

Mr. BREWSTER. Yes, sir. As a matter of fact, we have been traveling to the Dominican Republic for over a decade, and we spend the winters in the Dominican Republic and have had a home there.

Senator MCCAIN. Justice Moreno.

Mr. MORENO. Yes.

Senator MCCAIN. Have you been to Belize?

Mr. MORENO. Yes, about 2 years ago, and I have also visited the adjoining countries of Mexico and Guatemala. So I am familiar in particular with the Yucatan and some of the Mayan archeological sites that were referred to earlier.

Senator MCCAIN. Mr. Nichols, it seems to me that your biggest challenge is the fact that now Peru has overtaken Colombia as the No. 1 drug source of drugs in our hemisphere. How do you account for that, and what do we need to do?

Mr. NICHOLS. Thank you, Senator.

Peru has rededicated itself under President Humala to deal with the issue of illicit coca cultivation, which was something that, frankly, was not prioritized as much as it could have been under previous administrations. The budget for dealing with counter-narcotics issues from the Peruvian Government has been doubled under the current administration. The eradication targets and interdiction programs have also increased substantially.

The U.N. Office on Drugs and Crime released its assessment of drug cultivation in Peru last week and noted that cultivation had dropped for the first time in 7 years, and that according to the U.N. Office on Drugs and Crime, they have reached an inflection point. I think that now is an opportunity for Peru and the United States, as its key partner in this effort, to continue our robust support for drug eradication, training of police, prosecutors, and judges, and bringing a holistic approach to alternative development in key coca cultivation areas.

Senator MCCAIN. I do not quite understand your statement because there was just announced that Peru had passed Colombia as No. 1, and you are saying that they are making improvements. I do not think that is substantiated by the facts.

Mr. NICHOLS. Certainly Colombia, which had been the leading producer, has made dramatic gains in reducing coca cultivation in its country, and at the same time, Peru's cultivation had increased for the preceding 7 years. This year, in 2012, the most recent year in which statistics are available, according to the U.N., cultivation has gone down for the first time.

So I think there are signs of progress.

Senator MCCAIN. But they are still No. 1?

Mr. NICHOLS. Yes, sir.

Senator MCCAIN. And are we getting cooperation from their law enforcement people?

Mr. NICHOLS. The cooperation has been excellent. President Humala and his administration, as I said earlier, have increased their funding for counternarcotics programming. They have in-

creased the number of police and military dedicated to the fight against counternarcotics. They have increased alternative development programs, and we are supporting them in those efforts.

Senator MCCAIN. Well, again, I do not want to be argumentative. But if they are still No. 1 in the hemisphere, I am not impressed by signs of progress. Being No. 1 in our entire hemisphere is a pretty serious charge, even if it has “declined,” which I had not—I did not have that information. I am glad to have it.

Thank you very much, Mr. Chairman.

Senator UDALL. Thank you, Senator McCain.

Senator Durbin.

Senator DURBIN. Thanks a lot, Mr. Chairman.

Mr. Brewster, the history of this island of Hispaniola is well known. This is where Columbus arrived and launched the settlement of the United States by so many who came to our shores, but it also made this island a focal point of a lot of change that followed over five centuries.

Its neighbor on the island of Haiti is now the poorest country in the Western Hemisphere, one of the poorest in the world, and I visited it many times. And there has been an uneasy relationship between Haiti and the Dominican Republic over the five centuries. Different cultures, different languages, different views toward issues like slavery, and wars between the two.

Today, there appears to be a mixed relationship between Haiti and the Dominican Republic. The Dominican Republic came to the aid of Haiti as a result of the earthquake, the devastating earthquake that hit the Haitian country, and yet most recently, there has been a controversy over the citizenship of Haitians in the Dominican Republic.

In the briefing materials, they say there may be as many as a half a million Haitians living in the Dominican Republic. Mainly they are migrant workers doing very basic agricultural work and under very difficult conditions. The overall population of the Dominican Republic, a little over 10 million, and it appears that there is a public sentiment or a national sentiment in the Dominican Republic that wishes to disenfranchise or remove the citizenship status from the Haitians.

What should the United States position be on this issue?

Mr. BREWSTER. You know, that is a very good question, and thank you for the question, Senator Durbin. It is a challenging question.

What, if confirmed, I would do is continue to work with President Medina, also reach out to our Ambassador to Haiti, and I think it is going to take a larger conversation, both with the international community and also with NGOs that are currently working in the region, as well as this committee and others, to really continue to look at the problems that are challenges for the underserved.

Obviously, I will go to the post, if confirmed, with a strong—being a strong advocate for human rights. And any time there is someone marginalized, we need to continue to make sure, as one of our key values in the United States, that people are protected and all have the same rights as others.

So it is a very good question. I think we need to stay very actively involved. I think we need to keep the conversation going, ex-

pand the people that are involved in the conversation, and work toward a resolution and come up with a game plan on how to take care of these individuals.

Senator DURBIN. Mr. Brewster, you and I are friends with Bob and have been for a long time. And your friendship is part of the reason I am here today in enthusiastic support of your nomination.

But we both know there is some controversy already associated with it in terms of sexual orientation and your partnership with Bob. You have spent a lifetime dealing with this issue, at least your adult lifetime dealing with this issue. And now, as Ambassador, it appears that you will be dealing with it, after confirmed, in a foreign land, in the Dominican Republic.

Tell me how you view this as you go forward. The President is behind you. I am behind you. How do you and Bob view this as you have this opportunity to serve representing the United States of America?

Mr. BREWSTER. Thank you for the question, and I would love to address that.

You know, Bob and I both are very, very proud. And when we had the call that we were going to be nominated to go to the Dominican Republic, it is obviously a country that we spend a lot of time in, and we have been embraced and have seen the warmth of their people and their culture.

And since the controversy has happened, we have had even more resolve to make sure that we go and represent with the utmost dignity and move forward the objectives of the American people and President Obama and this committee. So we go very proudly.

You know, everything in life comes with its challenges. But I said in my opening statement, it even makes you more proud, and it makes me very proud of this President, and it makes me very proud to represent the United States. And it makes us very proud as a couple that has been together for 25 years to be able to go and represent the United States.

Senator DURBIN. Thank you. And you could have walked away when the controversy started, and neither one of you would. I respect you so much for that.

I think that you are going to advance the cause of human rights in ways that many people never dreamed of, given this opportunity. So I wish you both the very best.

And I thank the other two nominees, obviously well qualified. I wish you the very best in your assignments.

Thank you, Mr. Chairman.

Mr. BREWSTER. Thank you, Senator.

Senator UDALL. Thank you very much, Senator Durbin. Really appreciate your comments and appreciate your participation today.

And let me say to all three nominees and your families, I did not say this at the beginning, but I think it always is important to mention. We know how important families and partners are in terms of supporting you in your effort, and we applaud them and very much appreciate.

We know the sacrifices. Many of us up on this side of the dais know that from our public service. So we thank the families for all of your service to the country, too.

I believe, as Senator Durbin has said, these are three very well-qualified nominees, and these are three countries that are very important to the United States of America. So it is great to have you here today.

We are going to, hopefully, be able to hold a vote soon and move your nominations at the full committee. We will keep the record open for 24 hours for questions. And to the extent that you get questions, please answer them quickly so that we can move things along.

Senator Udall. Thank you very much, and the subcommittee is adjourned.

[Whereupon, at 3:19 p.m., the hearing was adjourned.]

ADDITIONAL QUESTIONS AND ANSWERS SUBMITTED FOR THE RECORD

RESPONSES OF JAMES BREWSTER, JR., TO QUESTIONS SUBMITTED
BY SENATOR ROBERT MENEDEZ

Question. Do you agree that encouraging clean energy investment in the Dominican Republic should be a priority for the administration? How will you work with the Dominican Government to make the electric utility sector more reliable and more efficient?

Answer. Encouraging clean energy investment in the Dominican Republic will continue to be a priority, and one of the best places to start is with the creation of a strong and resilient energy sector. If confirmed, I will strive to support the work of the Medina administration, the World Bank, and the Inter-American Development Bank to implement sound management and governance of the energy sector, reduce distribution losses, and increase the use of renewable energy. The United States Government also works through bilateral and multilateral initiatives, such as Connect 2022 and Sustainable Energy for All, to promote regulatory policies and frameworks that encourage private sector investment and development of the Dominican Republic's abundant renewable resources.

Question. What steps will you take to encourage the Government of the Dominican Republic to further strengthen its commitment to renewables as an integral part of reducing electricity costs on the island and decreasing its dependency on foreign oil?

Answer. If confirmed, I will underscore to the Dominican Government that increasing use of renewable resources depends on providing the right incentives, properly governing the energy sector, and setting ambitious targets. The Dominican Government can encourage better use of the tax exemptions it offers to promote renewable energy investment and improve the approval process for developers of renewable energy. Incentives meant to obtain 25 percent of the Dominican Republic's energy from renewable sources by 2025 remain underutilized. As of 2012, renewable energy sources accounted for just 13 percent of the energy matrix (12 percent from hydroelectric power and 1 percent from wind energy). The recent announcement of the new German-owned Wirsol Solar AG energy park in Monte Plata is a move in the right direction. When construction is complete, the solar park will supply 64 megawatts to the national grid and be the second largest solar energy park in Latin America.

Question. Do you foresee that the negotiations for the Trans-Pacific Partnership could afford any advantages to footwear and apparel producers in Asia that could negatively impact the Dominican Republic?

Answer. The United States has assured CAFTA-DR textile industry representatives and governments that we are seeking a yarn-forward rule of origin in the Trans-Pacific Partnership (TPP), a position reinforced by strong interest from the U.S. textile industry, which has established profitable supply chains with CAFTA-DR apparel producers. Yarn-forward assures the benefits of our Free Trade Agreements (FTAs) accrue to U.S. yarn manufacturers and their partners by requiring that all components of an apparel item, starting with the yarn, originate in the FTA area to qualify for tariff cuts. The TPP short-supply list, which would provide limited exemptions to the yarn-forward rule based on limited availability of certain

yarns and fabrics within the TPP area, is under negotiation, but domestic concerns that apply to yarn-forward similarly apply to the short-supply list.

Rather than focus on TPP as a threat, the CAFTA–DR textile industry could undertake a number of activities to improve competitiveness. It could take advantage of its proximity to the United States (10 days to market compared to 28 days from Vietnam) to meet supply shortages or custom orders. The CAFTA–DR countries’ textile industry and governments could also explore with USTR broadening the CAFTA–DR short-supply list in line with the final TPP list. The Central American and Dominican governments could address broader competitiveness challenges, including high electricity costs, poor transportation infrastructure, and regulatory opacity.

Question. What steps will you take to partner with the Government of the Dominican Republic to help strengthen the capacity of law enforcement and the legal system in the country?

Answer. If confirmed, I will work to strengthen the existing programs managed through the Caribbean Basin Security Initiative (CBSI). The Dominican Republic benefits directly from these programs, which include: the establishment of an emergency 911 system in Santo Domingo; training programs for the Dominican military and law enforcement authorities to enhance their ability to safeguard citizen security and fight drug trafficking and illegal immigration; and technical assistance and training for Dominican law enforcement authorities on police reform, prosecuting crimes more effectively, reducing corruption; raising awareness about gender violence and human rights, combating money laundering and organized crime, enhancing security at ports of entry, and making justice services more accessible, timely, and responsive. CBSI also provides grants and expertise that support local efforts to combat trafficking in persons.

Question. The recent ruling by the Dominican Constitutional Court has the potential to make stateless tens of thousands of Dominican-born individuals of Haitian ancestry, which would remove access to basic services for which identity documents are required. If confirmed, how will you seek to ensure that Dominican citizens of Haitian origin are not deprived of their right to nationality in accordance with the Dominican Republic’s international human rights obligations?

Answer. The United States promotes nondiscrimination of vulnerable populations and social inclusion as a tenet of our foreign policy worldwide. If confirmed, I will continue to coordinate closely with our partners in the Dominican Government to urge that Haitians and Dominicans of Haitian descent born in the Dominican Republic are treated humanely and in keeping with international norms and the standards set forth in international agreements to which the Dominican Republic is a signatory.

If confirmed, I will promote USAID programs that assist those of Haitian origin and descent in the Dominican Republic. USAID has several initiatives for vulnerable groups which include the Haitian and Haitian descendant population, many of whom live in “batey” communities (company towns where sugar cane workers live). Since 2006, USAID has worked in approximately 208 bateyes across the Dominican Republic. I will also work with the United Nations High Commissioner for Refugees and other members of the international community to ensure proper treatment of those affected by the recent ruling.

In doing so, I will be following a well-documented and core U.S. strategy that seeks to place human rights at the center of our bilateral relationships with partners such as the Dominican Republic. In 2010, former Secretary Clinton awarded the State Department’s International Women of Courage Award to Sonia Pierre, a courageous human rights defender who dedicated her life to fighting anti-Haitian injustice in the Dominican Republic. The award honored Ms. Pierre “for advancing the cause of social justice, confronting exploitation and discrimination, defending the dignity of persons of Haitian descent in the Dominican Republic, and helping marginalized communities develop their own voices for their own future.”

If confirmed, I will also seek to complement the efforts of my colleagues in Port-au-Prince and the Office of the Haiti Special Coordinator who are working to promote stronger relations between the Governments of Haiti and the Dominican Republic through the Haitian-Dominican Bi-National Commission.

RESPONSES OF BRIAN A. NICHOLS TO QUESTIONS SUBMITTED
BY SENATOR ROBERT MENENDEZ

Question. What is your evaluation of the feasibility of the Humala administration’s recent announcement that the government will provide solar power to 2 mil-

lion lower income citizens? What lessons will you draw from this program that could help inform U.S. policy on renewable energy deployment and electricity access in other countries in the region?

Answer. The Humala administration's plan to increase the percentage of Peru's energy that comes from renewable sources is ambitious, and the cost of implementing projects in solar energy has been falling globally, making this technology more competitive with conventional sources. Peru already obtains a majority of its electricity from hydroelectric power. Peru's climate and geography offer rich opportunities for renewable energy projects, including some of the highest solar irradiance in South America, which could play a valuable role in broadening the country's energy matrix.

The United States has companies that produce solar technologies; policies that foment effective power sector management, and strong engagement on the issue, such as through the "Connecting the Americas 2022" initiative. Peru's experience will no doubt provide important "lessons learned" as the United States and its partners seek to expand energy access in the hemisphere.

Question. What is your evaluation of the Humala administration's effort to use royalties from extractive industry to fund the development of infrastructure projects and promote greater social inclusion in the country? How can U.S. policy best support the Humala administration's effort on this front and what steps would you take as Ambassador to promote broad-based economic growth in Peru?

Answer. President Humala made the social and economic inclusion of all Peruvians a primary focus of his administration. One of the first laws his administration submitted to the legislature was a new tax on the mining industry's high profits from favorable international commodity prices. The proceeds from this tax are spent on social services, such as initiatives related to school funding, cash transfers, and support to the elderly.

The Humala administration has been proactive in promoting transparency in the expenditure of revenues from the extractive industries that is transferred to sub-national governments.

U.S. assistance priorities are largely complementary to the Humala administration's efforts to implement social inclusion. USAID programs in health, democracy, economic growth, environment, and alternative development have long promoted social inclusion, including by encouraging equality of opportunity. Other examples of U.S. assistance promoting social inclusion are a Department of Labor grant to reduce exploitative child labor in agriculture in rural areas of Peru, as well as public diplomacy exchanges that support Peru's new law requiring consultation with communities and empower Afro-Peruvian and indigenous communities. If confirmed, I will continue to support Peruvian programs that offer opportunities to groups previously excluded from the benefits of economic growth.

Question. As Peru ranks as the largest cultivator of coca in the world, what steps will you take to ensure that U.S. assistance is used most effectively to help the Peruvian Government with its counternarcotics efforts throughout the country? What lessons will you draw from your time in the U.S. Embassy in Bogota, Colombia to inform U.S. counternarcotics strategies in Peru?

Answer. Our counternarcotics cooperation with Peru in recent years has produced significant results, and challenges remain. The Humala administration is implementing a comprehensive and increasingly effective counternarcotics strategy that combines social inclusion efforts with eradication of illicit coca, interdiction, alternative development, and demand reduction activities.

In 2012, with U.S. support, the Government of Peru manually eradicated 14,171 hectares of coca—nearly 40 percent more than in 2011—and its 2012 eradication target.

As of October 4, Peru already had exceeded the 2012 full year total, reaching over 18,665 hectares eradicated. This year, Peruvian authorities reported significant increases in seizures of cocaine and precursor chemicals over 2012.

Alternative development programs that provide licit economic alternatives for communities in coca producing regions coupled with improved access to government services are essential to achieving long-term reductions in coca cultivation. I have seen this firsthand during my tenure as Deputy Chief of Mission in Colombia as well as during my service as Principal Deputy Assistant Secretary of State for International Narcotics and Law Enforcement Affairs (INL). U.S. assistance has been fundamental in all of these areas and, if confirmed, I intend to continue to work with the Peruvian Government to consolidate the gains made so far.

A primary lesson I will carry from my time in Bogota, as well as from my time in INL, is that we are most successful when our efforts support the plans of the

governments we are assisting. The Humala administration plans to devote approximately \$1 billion through 2016 to implement its counternarcotics strategy, significantly more than Peru has ever spent in the past. Peru's commitment to working with the United States to combat drug trafficking has also resulted in significant cost-sharing. In December 2012, Peru contributed \$11.6 million toward 2013 eradication efforts. In addition, Peruvian Government targets for eradication and interdiction have increased substantially as has funding for alternative development. The United States will continue to support the Government of Peru's ambitious 2012–2016 Counternarcotics Strategy which we believe is a comprehensive strategy that takes a holistic approach to responding to this challenge.

RESPONSES OF JAMES BREWSTER, JR., TO QUESTIONS SUBMITTED
BY SENATOR TOM UDALL

Question. What more can the United States do to increase the use of renewable energy as part of the overall energy portfolio in the Dominican Republic?

Answer. The Dominican Republic faces challenges in encouraging greater use of renewable energy. The Dominican Republic's electrical grid has one of the highest rates of distribution losses in the world, and renewable energy developers face significant bureaucratic hurdles to project approval. Increased use of renewable resources depends on setting ambitious targets, providing the right incentives, and properly governing the energy sector.

We are working with the Medina administration, the World Bank, and the Inter-American Development Bank to implement sound management and governance of the sector, reduce distribution losses, and increase the use of renewable energy. Additionally, the United States Government works through bilateral and multilateral initiatives, such as Connect 2022 and Sustainable Energy for All, to promote sound regulatory policies and frameworks to encourage private sector investment and development of the country's abundant renewable resources.

For its part, the Dominican Government can encourage better use of tax exemptions it offers to promote renewable energy investment. These incentives, underutilized to date, have been in place since 2007 and are meant to obtain 25 percent of the Dominican Republic's energy from renewable sources by 2025. As of 2012, renewable energy sources accounted for just 13 percent of the energy matrix (12 percent from hydroelectric power and 1 percent from wind energy). The recent announcement of the new German-owned Wirsol Solar AG energy park in Monte Plata is a move in the right direction. When construction is complete, the solar park will supply 64 megawatts to the national grid and be the second-largest solar energy park in Latin America.

Question. What are the most pressing governance challenges in the Dominican Republic, and what efforts are underway to improve free and fair democratic elections in the country? Specifically, how will you work with the Dominican Republic and nongovernmental organizations to assuage concerns about electoral results in the future?

Answer. A key governance challenge for the Dominican Republic remains the need to confront corruption. Since his inauguration in 2012, President Medina established a government code of ethics and removed one corrupt official from office, while prosecutors investigated other allegedly corrupt officials. Nevertheless, government corruption remains a serious problem and a key public grievance. The U.S. Government works closely with the Dominican Government, private sector, and civil society, and other international actors to address corruption concerns. The Caribbean Basin Security Initiative supports programs in the Dominican Republic that focus on reducing corruption, prosecuting crimes more effectively, combating money laundering and organized crime, and making justice services more accessible, timely, and responsive.

President Medina won the Presidency in May 2012 in an election that observers assessed as generally free and orderly. That said, there were reported irregularities, including voter fraud, unequal access to the media, and inadequacies in the legal framework that regulates the use of public resources and campaign financing. Many experts believe that the passage of the political parties draft law would improve transparency in campaign finance expenditures. If confirmed, and in anticipation of the next Presidential election in 2016, I will work with appropriate Dominican agencies, in particular the Central Electoral Board and civil society, as well as multilateral organizations and other diplomatic missions, to promote free and fair elections. I will encourage the Dominican authorities to address concerns raised by civil society groups and continue outreach to promote democratic electoral processes and a

collaborative review of recommendations that will increase transparency and reduce corruption in the overall election process.

RESPONSE OF CARLOS ROBERTO MORENO TO QUESTION SUBMITTED
BY SENATOR TOM UDALL

Question. My understanding is that HIV/AIDS is very prevalent in Belize, and that in fact the HIV/AIDS rate in Belize is higher than any other country in the region. What can be done to address and combat the epidemic, and what does Belize still need to do to improve access to antiretroviral drugs?

Answer. Belize suffers from the highest HIV/AIDS prevalence rate in Central America. Over 4,600 people are reported to be living with HIV in Belize, over 2 percent of the adult population. The Belizean Government provides access to antiretroviral drugs, but more public outreach must be done to ensure these drugs are taken properly and to encourage more Belizeans to get tested and seek treatment. Stigma and discrimination remain obstacles to combating the epidemic in Belize. Belize has reduced mother-to-child transmission by providing treatment to infected pregnant women. The Belizean Government provides services to children who have lost parents to HIV/AIDS, runs public education programs, and coordinates the actions of various ministries and NGOs to fight HIV/AIDS. However, these programs must focus more on the most at-risk populations driving the epidemic.

U.S. foreign assistance helps Belize better understand and address its HIV/AIDS epidemic, assist prevention efforts, and help NGOs working with the most at-risk populations. The United States funds HIV/AIDS programs in Belize through Peace Corps and regional President's Emergency Plan for AIDS Relief (PEPFAR) programs implemented by the U.S. Agency for International Development, the Department of Defense, and the Centers for Disease Control (CDC). Belize also receives funding through the U.N. Global Fund and from the Ambassador's HIV prevention program, a PEPFAR-funded program managed by U.S. Embassy Belmopan.

In 2013, CDC supported Belize in conducting an HIV National Behavioral Surveillance Survey and is assisting Belize's National AIDS Program in finalizing the report. In 2014, CDC will conduct an evaluation to identify gaps and recommend actions to facilitate strategic planning. CDC is also conducting capacity-building workshops.

RESPONSES OF BRIAN A. NICHOLS TO QUESTIONS SUBMITTED
BY SENATOR TOM UDALL

Question. How will you address the environmental concerns facing communities in Peru, and what can the United States do to help encourage sustainable best practices in the extractive industries of Peru?

Answer. It is in the U.S. interest to help Peru to protect its vast natural resources. The United States has long supported Peru's efforts to protect the environment and to enforce its environmental laws. Peru has the world's fourth-largest tropical rainforest area and is among the world's top five countries in biodiversity. The United States has an interest in protecting these resources that provide oxygen for the world. Peru's diversity is a treasure for the world. If confirmed, I will bring the full range of tools available to help Peru address the environmental challenges that it faces.

For example, under the terms of the U.S.-Peru Free Trade Agreement, including the Forestry Annex and the related Environmental Cooperation Agreement, both countries made commitments to protect the environment and improve forest sector governance in particular. U.S. funding and training promote institutional strengthening, environmental enforcement, and public participation through community-based management of forests and other resources. Peru committed to providing funds, personnel, and effective institutional and legal regimes to preserve the environment. While a lot of work remains, significant progress has been made under this framework.

There are additional ways the United States can support Peru's efforts. Peru has regulations in place that require environmental impact assessments (EIAs) as part of the review process in granting mining concessions. The United States can work with Peru to exchange information about best practices in EIAs and can also work with the government in areas of environmental and health concerns such as in the use of mercury in artisanal gold mining. The United States can encourage adoption of technologies that reduce environmental fall-out while still promoting Peru's sustainable economic growth.

Question. U.S. foreign assistance to Peru has been declining over the past few years and Peru's Millennium Challenge program recently ended. From your perspective, where should future prospective U.S. assistance to Peru be directed?

Answer. U.S. assistance remains vital to confronting many important challenges in Peru. Many Peruvians live in poverty, and Peru's incredible environmental diversity is threatened by climate change and illegal mining and logging. In addition, Peru remains the world's top coca producing nation, despite recent progress. In order to address these challenges, carefully focused U.S. assistance and technical support, combined with sustained funding and efforts by our partners in the Peruvian Government, in the business community, and in civil society remain essential.

The Peruvian Government has taken on these challenges with energy and increased funding and they have seen important progress as the percentage of people living in poverty in Peru fell from 54.7 percent in 2002 to 25.8 percent in 2012. If confirmed I will work to ensure that every dollar of U.S. assistance is used wisely while encouraging the Peruvian Government to continue with its own efforts, looking for opportunities for public-private partnerships, and cooperating with non-governmental organizations to multiply the effect of our aid.

**NOMINATIONS OF DANIEL YOHANNES AND
ANTHONY GARDNER**

THURSDAY, OCTOBER 31, 2013

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

Daniel W. Yohannes, of Colorado, to be Representative of the
United States of America to the Organization for Economic Co-
operation and Development
Anthony L. Gardner, of New York, to be Representative of the
United States of America to the European Union

The committee met, pursuant to notice, at 2:22 p.m., in room
SD-419, Dirksen Senate Office Building, Hon. Christopher Murphy
presiding.

Present: Senators Murphy, Kaine, and Johnson.

**OPENING STATEMENT OF HON. CHRISTOPHER MURPHY,
U.S. SENATOR FROM CONNECTICUT**

Senator MURPHY. Good afternoon, everyone. This hearing of the
Senate Foreign Relations Committee will now come to order. Today
we are here to consider two nominations: Daniel Yohannes to be
Ambassador to the Organization for Economic Cooperation and De-
velopment, and Anthony Gardner, to be the Ambassador to the Eu-
ropean Union. Congratulations to both of you on your nominations.
We have had the chance to talk privately, appreciate the time that
you have afforded me and the committee. If confirmed, you are
both going to be called upon to serve and advance the interests of
the American people at a very critical time in Europe.

We are going to flip our normal order here because Senator Ben-
net has other engagements. So we are going to do introductions
first, then opening statements from the panel, then your testimony
and questions. So first let me welcome Senator Bennet here to in-
troduce Mr. Yohannes.

**STATEMENT OF HON. MICHAEL F. BENNET,
U.S. SENATOR FROM COLORADO**

Senator BENNET. Thank you, Mr. Chairman, and I want to thank
you and Senator Johnson. The engagements that I have are trick
or treating with my little girl. So let the record reflect that, and
if I can make this plane I will be able to do it. So Happy Hal-
loween.

It is a great privilege for me to have the honor to introduce Daniel Yohannes, the President's nominee to represent our country at the Organization for Economic Cooperation and Development. Daniel is one of Colorado's best and brightest, and his story exemplifies much of what makes America unique.

He immigrated to the United States from his native country, Ethiopia, at the age of 17. When he got here he had about \$150 in his pocket and that was about it. He got his first job as a stock clerk and started earning about \$1.75 an hour. But he worked hard and he studied hard. He financed his own education, earning a B.A. and an M.B.A. He delved into the fields of economics and finance and he clearly learned those subjects well because he soon excelled in the banking industry.

As CEO of Colorado National Bank, he helped grow this Colorado franchise from \$2 billion to \$9 billion in assets. Daniel also became a pillar in the community in Colorado. As a member of Colorado Concerned, he fought to promote business growth in our State. He supported Project Cure's mission to provide medical supplies to people in need, and he and his wife helped establish the Denver Art Museum's first African gallery.

In 2009 the President nominated Daniel to be the CEO of the Millennium Challenge Corporation, the MCC. The Senate swiftly and unanimously confirmed him. In this role Daniel has fought global poverty with carefully targeted foreign aid dollars awarded through a rigorous selection process. With Daniel's leadership, developing nations have successfully used MCC funding to improve infrastructure, increase access to schools, and help farmers obtain credit. This in turn has helped attract overseas investment, creating a climate in which American companies can thrive.

As this country's new Ambassador to the OECD, I know Daniel will continue to be an effective advocate for the United States, championing economic growth and good governance.

Mr. Chairman, Daniel's story is an American story. It reminds us that we are a nation of immigrants. It showcases the importance of hard work and the value of an education. It demonstrates that entrepreneurs who play by the rules thrive in America and can have a long-lasting positive influence on our communities. It shows how much American leadership on the world stage still matters.

It is a real pleasure and honor to introduce Daniel Yohannes. I recommend him enthusiastically and uncategorically, and I hope this committee and this body will swiftly confirm him in his new role.

Thank you, Mr. Chairman.

Senator MURPHY. Thank you, Senator Bennet. Happy trick or treating.

Senator BENNET. Thank you.

Senator MURPHY. Let me now introduce—

Senator BENNET. There's nothing more scary than being dressed as a Senator.

Senator MURPHY. I know. Unfortunately, that is all too true.

I am now pleased to introduce our second witness today and that is Anthony Gardner, who is the nominee to be the United States Ambassador to the European Union. Mr. Gardner is currently the managing director of Structured Finance at Palamon Capital Part-

ners and previously served as executive director of European Leveraged Finance at Bank of America, also spent 5 years at one of Connecticut's great companies, General Electric, working on transactions all across Europe.

He has lived most of his adult life in Europe. Mr. Gardner served as Director of European Affairs at the National Security Council as well during the Clinton administration, where he played a key role in launching the new Trans-Atlantic Business Dialogue. He has written in both his public and private sector life extensively on EU issues, including a book on transatlantic relations and an article published in *Foreign Affairs* that he coauthored with Ambassador Stuart Eizenstat, who we know very well on this committee.

He holds a B.A. from Harvard College, which I will not hold against you, and a number of master's degrees as well. I will note for the record that a number of our colleagues, more than normal, called in support of your nomination, given your great work as a member of the administration with this committee and with others in the Senate.

Welcome to both of you. We look forward to your testimony.

Let me just say by way of opening statement and then I will turn it over to Senator Johnson, that this hearing obviously happens in context. Recent events and headlines have brought an enormous amount of attention to the United States relationship with Europe. Senator Johnson and I have had a number of meetings just this week with visiting delegations who have raised legitimate concerns about U.S. spying on world leaders and subsequent accusations of foreign intelligence agencies spying on the United States.

You are both going to be nominated to serve in organizations based in Europe and you are likely going to be confronted with these issues the moment that you arrive in Paris or Brussels. I hope that you will not hesitate, first, to push back on the misinformation that is already hardening into perceived facts amongst the American public when it comes to a lot of these programs.

Europeans and Americans have raised legitimate concerns about the scope of U.S. intelligence programs and I am sure that many of my colleagues will agree that at times these programs have not been conducted with the appropriate restraint and security. But while we have discussions here in the United States to ensure that we are not doing anything more than necessary to protect Europe and the United States from terrorism, we also have to acknowledge that we are not the only ones who have been collecting data across the world over the last few decades. And while there may be one set of activities that are indefensible, there are other programs that are crucial to our mutual security, the United States and Europe, and it is important for that work to continue even while possibly amended.

Now, although this is going to be the topic that will dominate the headlines as you arrive in Europe, we are going to expect you to get right to work on a host of other issues. Mr. Gardner, you are going to represent the United States during the beginnings of a potentially transformational negotiation surrounding TTIP, and we know that you will be trying to move those efforts forward for an agreement that has enormous economic and geopolitical ramifications for the United States.

At the same time, you will also be talking about really important energy concerns that Europe has. One of the greatest gifts we can give to our European partners today is to give them some of the benefit that we have achieved through our movement toward energy independence.

Mr. Yohannes, in your new role you are going to be tasked with improving global business standards, coordinating anticorruption efforts, and advancing democracy. The OECD has been a critical player in leveling the playing field in international markets for U.S. businesses, and as we seek to achieve the President's challenge to double U.S. exports over the next several years it is going to be a lot of your work that will help our businesses rise to that challenge.

So we are excited that you are here at a really important moment to be talking about our relationship with Europe. WT that, let me turn it over to the ranking member, Senator Johnson.

Senator JOHNSON. Thank you, Mr. Chairman. As usual in these situations, you have done a pretty good job of laying out the issues and pretty well framing what we want to be discussing today.

Normally my main point in these nomination hearings is first of all to welcome the nominees, thank you for your willingness to serve, and just also point out the dual role that I believe any Ambassador, whether it is to a different nation or to an organization, really has to play. First and foremost, it is representing America to those nations, to those organizations, and doing it with pride, recognizing really what a phenomenal force for good America is in the world, and never apologizing for this Nation, recognizing we are not perfect, but again we are a phenomenal force for good.

But then the second part of that role is representing those nations and those organizations back to us. As the chairman was pointing out, we have heard repeatedly about the concerns of the recent revelations. We should be pushing back. What America is trying to do is we are trying to not only preserve our freedoms, prevent terrorist attacks not only in our homeland, but really throughout the world. We were trying to, as much as possible, preserve world peace. I think that is an important point to be making.

But also, we need to be fully understanding of how our allies, how our friends, how the nations that you are going to be representing us to, how they perceive what is happening here. So again it is a very important dual role, and I am sure that, based on your qualifications, you will be able to fill that quite well.

But again, thank you for your willingness to serve and welcome to the committee.

Senator MURPHY. Now we will hear from our nominees, first Mr. Gardner and then Mr. Yohannes.

STATEMENT OF ANTHONY L. GARDNER, OF NEW YORK, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE EUROPEAN UNION

Mr. GARDNER. Mr. Chairman, Senator Johnson, Senator Kaine, it is an honor to appear before you today as the President's nominee to be the next United States Ambassador to the European Union. I would like to express my gratitude to the President and

to Secretary Kerry for the trust and the confidence they have placed in me with this nomination.

If confirmed, I would be accompanied to the post by my wife of 16 years, Sandra Mac-Crohon, who managed the American Embassy residence when we met. Accompanying me today are my father and my sister. My father served this country, with great distinction, in Italy and in Spain. As an indirect result of his service, I married a Spaniard and my sister, Nina, now a corporate sustainability advisor and an adjunct professor, married a distinguished former Italian diplomat.

Unfortunately, my mother, Danielle Luzzatto, did not live to see this day. But soon after her untimely death in 2008 I adopted her last name as my middle name to recognize and remember her and her remarkable family. Although her ancestors had lived in Italy for over 500 years, my maternal grandfather, Bruno Luzzato, had to lead his family out of Italy in 1939 after the enactment of Mussolini's racial laws. He and his family were fortunate to start a new life in this country and to become proud Americans.

Serving as U.S. Ambassador to the European Union would put me at the center of many of the issues I have cared about deeply and have been involved in for 23 years, first as a lawyer, then as a government official, and more recently as a banker and investor living and working in Europe.

My journey to this moment began during my study of EU economic and legal affairs as a graduate student at Oxford and then at Columbia Law School. These experiences led me to work in the antitrust department of the European Commission in 1991. It was a fascinating time to be in Brussels due to the completion of the single market and the opening up to new members in the East.

That experience in turn led me to take what was an unusual decision for an American-trained lawyer, to start my legal career practicing EU antitrust and trade law in Brussels.

All those decisions led me to work as Director for European Affairs, responsible specifically for EU issues, in the National Security Council in 1994–1995. I was extremely fortunate to have the opportunity to collaborate closely with the U.S.-EU mission under the able leadership of Ambassador Stuart Eizenstat on the launching of the new Transatlantic Agenda and the Transatlantic Business Dialogue, initiatives that remain relevant today.

My experience from that period and confirmed by subsequent observation is that we should never underestimate the political will of the European Union to survive, to adapt, and move forward, even under periods of extreme economic and financial stress.

Even when I returned to law practice in Brussels, Paris, and then London, I remained involved in EU trade issues and subsequently in many regulatory issues that affect corporate and private equity investments in many European countries. As a banker and as a private equity professional over the past decade, I have been deeply involved in negotiating financial and legal transactions across the European Union.

As you know, the U.S.-EU economic relationship is the deepest and most balanced in the world. Together we account for almost half of global output of goods and services and almost a third of global trade, and there is over \$3.5 trillion in two-way foreign di-

rect investment. But these statistics only tell part of the story. We are a community of shared values.

I cannot think of a more interesting time and a more challenging time in U.S.-EU relations. Due in part to the institutional improvements brought about by the Lisbon Treaty, the EU has become a more effective global partner of the United States in addressing an increasing variety of transnational challenges that cannot be solved by any one country acting alone. There are many examples, from global crime and terrorism, proliferation of weapons of mass destruction, economic and financial stability, and so forth.

The United States and the European Union must continue to collaborate closely to address such challenges in the future. In doing so, we need to interact effectively with all the institutions of the European Union, including the European Parliament. The U.S. mission to the EU is at the center of these efforts. It is staffed by a highly professional and dedicated group of people. It would be an honor for me to lead them.

One of the most important objectives of the mission is to help conclude an ambitious trade and investment partnership agreement that will significantly reduce obstacles to market access relating to tariffs, services, investment, and procurement, but also by tackling the critically important area of regulations and standards. Just as significantly, this negotiation offers an opportunity to advance multilateral trade liberalization and set globally relevant rules and standards, and concluding an agreement would have major geopolitical significance. It would reinforce the vitality, attractiveness, and relevance of our shared model of governance.

Thank you for your time. I look forward to your questions.

[The prepared statement of Mr. Gardner follows:]

PREPARED STATEMENT OF ANTHONY LUZZATTO GARDNER

Mr. Chairman and distinguished members of the Senate Foreign Relations Committee, it is an honor to appear before you today as the President's nominee to be the next United States Ambassador to the European Union. I would like to express my gratitude to President Obama and Secretary Kerry for the trust and confidence they have placed in me with this nomination.

If confirmed, I would be accompanied during my service in Brussels by my wife of 16 years, Sandra Mac-Crohon, who managed the American Embassy residence in Madrid when we met. Accompanying me today are my father, my sister, and my brother in law. My father served this country with distinction as Ambassador in Italy and Spain. As an indirect result of his service, I married a Spaniard, and my sister, Nina, now an adjunct professor and consultant in Washington, married Francesco Olivieri, a distinguished former Italian diplomat.

Unfortunately, my mother, Danielle Luzzatto, did not live to see this day; but soon after her untimely death in 2008 I adopted her last name as my middle name to remember her and her remarkable family. Although his ancestors had lived in Italy for over 500 years, my maternal grandfather, Bruno Luzzatto, had to lead his family out of Italy in 1939 after the enactment of Mussolini's racial laws. He and his family were fortunate to start a new life in this country and to become proud Americans.

Serving as U.S. Ambassador to the EU would put me at the center of many of the issues I have cared about and have been involved in for 23 years—first as a lawyer, then as a government official, and more recently as a banker and investor living and working in Europe.

My journey to this moment began during my study of EU economic and legal affairs as a graduate student at Oxford and Columbia Law School. These experiences led me to work in the antitrust department of the European Commission in 1991; it was a fascinating time to be in Brussels due to the completion of the single market and the beginning of the opening toward new members from Central Europe. That experience, in turn, led me to take what was an unusual decision for

a U.S. trained lawyer: to start my legal career practicing EU antitrust and trade law in Brussels.

All those decisions led me to work as a Director for European Affairs, responsible specifically for EU issues, in the National Security Council in 1994–95. I was extremely fortunate to have the opportunity to collaborate closely with the U.S. mission to the EU, under the able leadership of Ambassador Stuart Eizenstat, on the launching of the New Transatlantic Agenda and the Transatlantic Business Dialogue—initiatives whose institutional impact reverberates today. My experience from that period, and confirmed by subsequent observation, is that we should never underestimate the political will of the European Union to survive, adapt and move forward—even under periods of extreme economic and financial stress. I also saw the powerful connections across the Atlantic, between our citizens, and between businesses large and small. I am convinced that those connections are continuing to grow stronger and deeper despite economic shocks and political challenges, and that when we work closely together, citizens on both sides of the Atlantic prosper.

Even when I returned to practice law in Brussels, Paris, and then London, I remained involved in EU trade issues and subsequently in many regulatory issues that affect corporate and private equity investments in many European countries. As a banker and as a private equity professional over the past decade, I have been deeply involved in negotiating financial and legal transactions across the EU, and I understand both the benefits and the regulatory and market challenges investors face in operating on both sides of the Atlantic.

As you know, the U.S.-EU economic relationship is the deepest and most balanced in the world: together we account for almost half of global output of goods and services and almost a third of global trade; and there is over \$3.5 trillion in two-way foreign direct investment. Looking beyond these impressive figures, free transatlantic flows of data, intellectual property, knowledge and innovation—including collaboration among our best scientific and business minds—are incalculably important to our economic growth. But these statistics tell only part of the story: we are a community of shared values, including democracy, free speech, respect for human rights, and the rule of law.

I cannot think of a more interesting, and challenging time in U.S.-EU relations. Due in part to the institutional improvements brought about in the Lisbon Treaty, the EU has become a highly effective partner of the United States in adding its voice, and its weight as a leading source of development and humanitarian aid, to efforts to address key international challenges. We work in close partnership with the EU in efforts to persuade Iran to address the international community's grave concerns about its nuclear program. EU member states, collectively, have been the largest source of humanitarian assistance to those affected by the crisis in Syria. In Asia, the EU, along with the U.S., has been a strong and unceasing voice promoting democratic change in Burma. With support from NATO, the EU is building the framework to provide for enduring peace in the Balkans. In Africa, the EU played a key role in bringing Mali back to the path of democracy. The United States has worked closely, in concert with the EU's Eastern Partnership program, to promote political, social, and economic reform among the EU's eastern neighbours in Ukraine, Moldova, Belarus, Georgia, Armenia, and Azerbaijan, although these countries have chosen different levels of engagement with the process.

In addition, the EU is a critical partner in addressing an ever wider range of transnational challenges. In our interdependent world, many challenges—such as global crime and terrorism, the proliferation of weapons of mass destruction, economic and financial instability, humanitarian crises, supporting the aspirations of people in new and emerging democracies, climate change and infectious diseases to name a few—cannot be solved by any one country acting alone. The United States and the European Union must continue to collaborate closely to address such challenges in the future. In doing so we need to interact effectively with all of the institutions of the European Union, including the European Parliament, whose legislative authorities have significantly expanded with respect to the conclusion of new EU treaties. The U.S. mission to the EU is at the center of these efforts. It is staffed by a highly dedicated and experienced group of professionals. If confirmed, it would be an honor for me to lead them and I would seek to advance our country's interest on behalf of all businesses and citizens.

One of the most important objectives of the mission is to help conclude an ambitious Transatlantic Trade and Investment Partnership, or TTIP, that will position our economies for success in the 21st century. The United States and the EU will do this through significantly reducing obstacles to market access relating to tariffs, services, investment, and procurement, but also by tackling the critically important area of regulation and standards. If the efforts are successful, we can boost job creation and investment on both sides of the Atlantic. A transatlantic marketplace will

be especially critical for the small and medium-sized companies who remain the foundation of our economies and a key to transatlantic economic growth. TTIP seeks to bridge the differences between our two systems, and to do so in a way that maintains our shared high levels of protection for safety and the environment, to the benefit of consumers and businesses alike.

Just as significantly, pursuing TTIP also demonstrates our shared commitment to rules-based trade and to strengthening the rules-based trading system around the world. Concluding an agreement would have major geopolitical significance; it would reinforce the vitality, attractiveness and relevance of our shared model of governance. Free-market democracies remain the most promising engines of growth, innovation and wealth creation, especially when they exploit the benefits of free trade in an open and rules-based international economic regime.

Finally, the United States and the EU need to continue to work together to address the challenges and promises of the emerging digital society, including reconciling the ways in which we protect personal data. I recognize that our partners in the European Union have questions about alleged U.S. intelligence activities. It is worth noting that the President has called for a review of the way that we gather intelligence so that we can ensure we properly balance the legitimate security concerns of our citizens and allies with the privacy concerns that all people share. We should also work to ensure that EU concerns about alleged U.S. intelligence activities do not undermine the cross-border data flows that underpin transatlantic trade and investment. One of my most important challenges if confirmed will be to help EU stakeholders understand how U.S. consumer protection regulators use their robust powers to protect individual privacy, and ensure that our approaches to achieving this important goal remain compatible. We should work together to preserve existing mechanisms and develop new ways to protect privacy while facilitating the flow of data across borders.

Senator MURPHY. Thank you.
Mr. Yohannes.

**STATEMENT OF HON. DANIEL W. YOHANNES, OF COLORADO,
TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA
TO THE ORGANIZATION FOR ECONOMIC COOPERATION
AND DEVELOPMENT**

Mr. YOHANNES. Mr. Chairman, Ranking Member Johnson, and Senator Kaine, thank you for the privilege to appear before you today. Also I want to thank Senator Bennet for his kind words supporting my nomination.

I deeply appreciate the trust and confidence placed in me by President Obama and Secretary Kerry in nominating me to serve as the Ambassador representing the United States at the Organization for Economic Cooperation and Development, the OECD. I sit before you today as a testament to the remarkable promise of the American dream. I came to the United States at the age of 17 from one of the poorest countries on Earth, determined to overcome any challenges. After graduating from Claremont McKenna College and Pepperdine University, I built a 30-year career in the banking industry, ultimately serving as the Vice Chairman of U.S. Bank, the sixth-largest bank in the country.

It was my greatest honor when in 2009 President Obama asked me to serve my country as the Chief Executive Officer of the Millennium Challenge Corporation. At MCC I provided leadership to an outstanding 300-person workforce and managed a \$9.4 billion portfolio. Since taking over MCC, I have signed \$2.48 billion in development grants to developing countries. I am very proud to share with you, Mr. Chairman, that just last week MCC was ranked the No. 1 development agency in the world for its open data and transparency efforts, as measured by the 2013 Aid Transparency Index.

I have had the great honor of traveling to 19 MCC partner countries around the world, visiting our embassies and meeting with heads of state to deliver sometimes difficult messages about the importance of good governance, sound economic policies, and democratic rights.

Mr. Chairman, I believe that my life experience, prior to and including my time serving in the Federal Government, has prepared me to be the U.S. Ambassador to the OECD. My time in both the private sector and at MCC has given me a great appreciation for consistently applied policies and standards that promote a level playing field for all business.

I believe the OECD's value is found in its role as the advocate for a liberal, market-based economic system based on shared democratic values and as a source of support for members and non-member countries that seek its assistance in abiding to OECD standards and best practices.

If confirmed, I will press OECD to continue its core work of improving the functioning of markets and of governments, resisting protectionism, encouraging fair and efficient systems of taxation and investment, creating good jobs, fighting against corruption, and promoting the openness, integrity, and transparency of business and governments.

If confirmed, I will work with other nations through the OECD's Development Assistance Committee to advance U.S. development priorities, especially supporting the Millennium Development goals. I am passionate about this work because I have seen firsthand the meaningful and measurable impact U.S. foreign assistance can have on the lives of people around the world.

Over the past 50 years, the OECD has expanded its membership from the original 20 countries to 34. I will advance U.S. efforts to encourage the OECD to expand its work with key emerging economies, to promote OECD standards, values, and best practices. I will work vigorously to advance our strategic priority to encourage the OECD to move beyond a European focus, to extend its influence to important emerging economies, including Brazil, China, India, Indonesia, and South Africa. This enhanced engagement to these countries is a powerful tool for reengineering the OECD for the 21st century and complements the U.S.'s bilateral relationships with these nations.

I firmly believe that the work of the OECD and our efforts to ensure the OECD supports U.S. priorities are fundamental to enhancing our collective security and common humanity for a more prosperous, peaceful world.

Mr. Chairman, if confirmed I look forward to continuing consultation with this committee and its staff, both here in Washington and during the visits of congressional delegations to Paris.

Mr. Chairman, I thank you and members of the committee for this opportunity to address you. I am humbled to be nominated to be the U.S. Ambassador to the OECD. If confirmed, I will do all I can to ensure a modern and relevant OECD for the 21st century.

I would be very happy to answer your questions.

Thank you.

[The prepared statement of Mr. Yohannes follows:]

PREPARED STATEMENT OF DANIEL W. YOHANNES

Mr. Chairman, Ranking Member Johnson, and distinguished members of the Senate Committee on Foreign Relations, I thank you for the privilege to appear before you today. I also want to specifically thank Senator Bennet for his kind words in support of my nomination. I am deeply appreciative for the trust and confidence placed in me by President Obama and Secretary Kerry for nominating me to serve as the Ambassador representing the United States at the Organization for Economic Cooperation and Development, the OECD.

I sit before you today as a testament to the remarkable promise of the American dream. I came to the United States at the age of 17 from one of the poorest countries on Earth, determined to persevere against all challenges. After graduating from Claremont McKenna College and Pepperdine University, I built a 30-year career in the banking industry, ultimately serving as the Vice Chairman of U.S. Bank and as a member of its Management Committee. The poverty I left behind in Ethiopia has left an indelible mark on me—and through my work with community-based charities and international aid organizations I've done my best to give back to my community and my country, the United States of America.

It was my greatest honor when, in 2009, President Obama asked me to serve my country as the Chief Executive Officer of the Millennium Challenge Corporation. As you know, MCC's mission is to eliminate poverty through economic growth—using a competitive selection process, country-led solutions to eliminating barriers to growth, and promoting country-led implementation. At MCC, I provide leadership to an outstanding 300-person workforce, and manage a \$9.4 billion portfolio. I have had the great pleasure of visiting 19 of MCC's partner countries around the world, visiting our embassies and meeting with our head of state partners to deliver sometimes difficult messages about the importance of good governance, sound economic policies, and democratic rights. Since taking over the MCC, I've signed \$2.44 billion to developing countries. More importantly, in consultation with our Board of Directors, we've not been afraid to make the tough decision about which investments not to make because of a country's poor performance.

Mr. Chairman, I believe that my life experience—prior to and including my time serving in the Federal Government—has uniquely prepared me to be the U.S. Ambassador to the OECD.

My time in both the private sector and at MCC has given me a great appreciation for consistently applied policies and standards that promote a level playing field for all business. And I believe the OECD's value is found in its role as the advocate of a liberal, market-based economic system based on shared democratic values, and as a source of support for members and nonmember countries that seek its assistance in adhering to OECD standards and best practices.

The OECD plays a pivotal role in developing consensus on the economic rules of the road that are key to sustainable, global economic growth and broad-based prosperity. The Organization's core strengths are in producing well-regarded economic and statistical analysis—allowing countries to benchmark against each other and learn from best practices—and in serving as the venue where networks of regulators and government officials agree on market-enhancing rules on export credits, antibribery, sovereign wealth funds, international investment and competition policy.

If confirmed, I will press the OECD to continue its core work of improving the functioning of markets and of governments, resisting protectionism, encouraging fair and efficient systems of taxation and investment, creating good jobs, fighting against corruption and promoting the openness, propriety, integrity, and transparency of business and governments. If confirmed, I will work with other nations through the OECD's Development Assistance Committee, to advance U.S. development priorities, especially supporting the Millennium Development Goals, and the critical work on making aid more effective by better aligning donor and partner priorities, empowering developing countries to build capacity and assume greater ownership for their own futures, and strengthening mutual accountability. I am passionate about this work because I have seen firsthand the meaningful and measurable impact every dollar the United States spends on foreign assistance can have on the lives of people around the world. These are the values I worked for while at the MCC, and if confirmed, I will continue this work as the U.S. Ambassador to the OECD.

I will work vigorously to advance our strategic priority to press the OECD to move beyond a European focus to extend its influence to important emerging economies. Over the past 50 years, the OECD has expanded its membership from the original 20 countries to 34, is currently in accession discussions with the Russian Federation, Colombia, and Latvia, and will consider granting roadmaps to Costa Rica and

Lithuania in 2015. I will advance U.S. efforts to encourage the OECD to expand its efforts to work with key emerging economies to spread OECD standards, values and best practices. The United States has been a key supporter of the OECD's "key partner" initiative, which has formalized and expanded cooperation with Brazil, China, India, Indonesia, and South Africa. The OECD's Enhanced Engagement outreach to these countries is a powerful tool for reengineering the OECD for the 21st century and complements the dialogues the United States is having with these nations bilaterally and in other venues. If confirmed, I will work to enhance the Organization's engagement with Southeast Asia in order to spread OECD standards to that critical region.

If confirmed, I will focus on ensuring the OECD embodies best management practices. I will push to accelerate OECD's efforts to reform its governance in order to improve its efficiency and effectiveness.

I firmly believe that the work of the OECD—and our efforts to ensure OECD supports U.S. priorities—is fundamental to enhancing our collective security and common humanity for a more prosperous, peaceful world.

Mr. Chairman, if confirmed, I look forward to continued consultations with this committee and its staff, both here in Washington and during the visits of congressional delegations to Paris.

Mr. Chairman, I thank you and members of the committee for this opportunity to address you. I am humbled to be nominated to be the U.S. Ambassador to the OECD. If confirmed, I will do all that I can to ensure a modern and relevant OECD for the 21st century.

Senator MURPHY. Thank you to both of you for your time for being here today and your willingness to serve.

Mr. Gardner, let us jump right into the issue of the moment. This is not just about answering questions that the Europeans have regarding our programs. This is about real decisions that they may make that will have national security implications for us and for them. As you know, the European Union right now is debating whether or not to recommend at least that Europe or European nations pull out of some of the most important data-sharing programs that we currently run with the European Union and with European nations, such as our terrorist financing program, the sharing of passenger lists.

So you are likely, within days, going to be sitting down with either members of the commission or with MEPs or with heads of state, making the case for why they should continue to invest in those partnerships.

Senator Johnson and I met with a visiting delegation with the Foreign Affairs Committee, and it is difficult because there is a range of things to talk about. You can talk about the very clear cases where we have crossed the line. You can talk about the need to continue cooperation on the programs that still make a lot of sense. Or you can, frankly, call the Europeans out for what is a double standard, in the press at least as of late, and I would argue a failure to acknowledge a lot of their historic surveillance that has been done over the years.

So just give a little preview as to what your case will be to our European allies as they are on the verge of making decisions that could make their lives and our lives a lot harder when it comes to finding bad guys throughout the world?

Mr. GARDNER. Thank you. That is a very topical and very sensitive question clearly. But I want to give this committee comfort that I do not shrink from a challenge. As the head of financing for Palamon Capital Partners, the private equity fund that I have been working with, I was faced with dealing with some very difficult situations during the depth of the financial crisis in 2008 in par-

ticular. That meant negotiating with banks who did not want to finance anyone and trying to save some key portfolio companies for our business and to serve the interests of our investors. Those discussions were very difficult and involved both toughness in negotiation, credibility, and perseverance.

In terms of the message that I will impart to our European allies, it will be this. Let us focus on the future. Let us focus on the importance of the agreements that we have in place, that by the way serve not only our interests, but serve European interests. You mentioned a few of them, Senator: The TFTP, Terrorist Finance Tracking Program; the Safe Harbor Agreement that has allowed thousands of American companies to share data that is collected in the European Union with the United States; and of course there is TTIP, an agreement that we need to continue to negotiate. It serves both of our interests. It is too important for us to scale back, to terminate the agreements we have in place, or to stop negotiating an agreement that could add jobs and promote growth on both sides of the Atlantic. That will be my message.

The second part of the message will be: Let us act deliberately, calmly, rationally, and with the benefit of all of the facts. You mentioned how important that is. We have not yet had the benefit of all of the facts. A number of reviews are being undertaken now at the White House and by the Senate. We need to give time for those reviews to arrive at conclusions.

We need to continue to answer questions that are posed to us by our European allies as fully and as frankly as we can. But the message will be: Let us focus on the future, let us try to be positive, too much is at stake.

Senator MURPHY. Thank you, Mr. Gardner. It is perplexing as to why Europeans would put the TTIP talks at risk. I think that probably comes from elements of the Parliament that did not want those talks to succeed in the first place, because it does not make any sense for the Europeans to hurt their own economy because of a pique, legitimate as it may be, over these latest revelations.

Mr. Yohannes, I hope that you might talk a little bit about Russia and their ascension possibilities. I know you are not there yet and you have had a different portfolio in your current job that you will be leaving. But clearly they are on their own timetable and it is not even clear whether that is a timetable that has any end date on it.

So what do you see for the prospects of Russian ascension to the organization and, frankly, what will your role be in trying to prod them along or simply let them go at their own pace?

Mr. YOHANNES. Thank you, Mr. Chairman. The United States supports Russia's accession to the OECD. Russia has been on the accession list since 2007, but they only have passed 7 out of the 20 requirements to become a member. I know there have been a lot of discussions with the Russian Federation from us, as well as from the OECD. But at the end of the day it is going to depend on the Russians themselves. If they are serious and they want to be a part of the organization, they're going to have to reform many of the policies that are required.

So the pace has been very slow and there is been a lot of frustrations from every part. But nevertheless I think that it is going to

be up to the Russians. I do not think we should lower the standards or raise the bar, but nevertheless at the end of the day they must want to be a part of the OECD group. If they do what is required, that is going to help the economy, it is going to help the global economy, it is going to help our economy as well. So we encourage them to reform and hopefully be a part of the organization.

Senator MURPHY. In my remaining time I will maybe ask a question that is too broad for this session, Mr. Gardner. But as we look at the debate that we have had with Europe and with the European nations over Libya and Syria, there has been a lot of legitimate questions raised as to what the future of NATO is.

But I think it also brings into question a larger conversation about who we are really talking to in Europe when it comes to large questions with global implications. We started out talking to individual European nations within the confines of our bilateral relationships. We then over the last 60 years convened NATO, which became for a period of time the place in which those conversations happened. In the wake of the fall of the Soviet Union, there is less of a sort of value-based foundation to that organization.

Now the latest entry into this mix is the foreign affairs operation within the European Union itself and Catherine Ashton, who has done really impressive work over the last several years both with respect to Iran and in her work in the Balkans. So you have another player here to talk to.

So this is probably an unfairly broad question, but who are we talking to when we are talking to Europe today, and what do you see the trendlines being? Are we going to be spending a lot more time with the European Union speaking to Lady Ashton or her successor? Is part of your role going to try to be to figure out a new way forward for NATO? What do you see as the trendlines in terms of how the foreign relations power structure within Europe plays out and how that affects U.S. communications?

Mr. GARDNER. It is an evolving situation. The Lisbon Treaty did change the institutional framework of the European Union in a significant way, but it is too early to tell just how significant it will be. As I mentioned in one of the articles I cowrote with Ambassador Eizenstat, the implications will be evolutionary, not revolutionary.

What it means is that the European External Action Service, the foreign ministry that you mentioned, has been built up from scratch over the last few years. It is taking on more responsibility. You mentioned a few ways that Catherine Ashton is doing that. As a representative in the Quartet, she has done good work in the Balkans, and they are assuming more responsibility.

But it is not the only entity with which we will have to deal. We will have to continue to deal with the president of the commission, the president of the European Council, and there are other emerging players, such as the European Parliament that has assumed more and more responsibilities with every revision of the EU treaties.

It is important to note that because of TTIP it will have the right to vote up or down. And by the way, to make it even more complicated, it is likely, just as in the case of the Canada-European Union treaty that has been penned although not finalized, that a

TTIP will have to be submitted to all of the Parliaments of the member states, the 28.

So unfortunately it is still multidimensional chess, which makes this mission so fascinating. But the short answer to your question is that, yes, Catherine Ashton and her successor will be important and more power will be assumed by that institution.

So specifically, in many parts of the world that institution, the delegations of the European Union, will essentially be the voice of the European Union. I believe that will be the case in Africa and Asia and perhaps in Latin America. In certain countries, specifically the United States, it will not be the case that the EU mission to Washington will be the sole voice. On some subjects it will be, but some countries, most countries, will continue to have their own interests and their own representation.

Senator MURPHY. I have gone well over my time. Senator Johnson.

Senator JOHNSON. Thank you, Mr. Chairman.

Mr. Gardner, in your testimony you did mention the European Union's eastern partnership program. Can you just speak a little bit in terms of what you think your involvement would be in terms of trying to encourage those nations to join the European Union, start moving more toward the West, resist I guess Russia's—I am not quite sure what word I would call it, but just resist Russia might be good enough.

Mr. GARDNER. Well, what we should do is to continue what we have been doing, and that is to welcome the European aspirations of the partnership countries. As you know, at the end of November there will be a summit called by the Lithuanian presidency of the EU in Vilnius, where there may be a decision as to whether to sign partnership agreements with Ukraine, Moldova, and Georgia.

What we have said is that we welcome their European aspirations, we think that it is a historic opportunity that should not be missed, and that we should continue to say that those countries should be free to adopt the orientation, the economic orientation, that they wish, free from outside interference or intimidation.

Now, it is up to the European Union and those countries to decide which way to go, but we think, as I said, it is a historic opportunity which they should seize.

Senator JOHNSON. Do you have a real clear sense of what your top priority or priorities are going to be in your role?

Mr. GARDNER. Absolutely. One of the challenges for me will be to focus, because we have so many issues at the U.S.-EU mission. It covers not only trade issues, but a variety of other issues. But for me I think TTIP will be my No. 1 issue. Why? Because of the importance that a successful negotiation would have for the creation of jobs and trade and investment on both sides of the Atlantic. Also it is a good fit with my professional background as a former lawyer and as an investor and as a banker. I look forward to getting involved in the details of the negotiation.

Also, can I say I look forward to doing so because I have had a longstanding relationship with our U.S. Trade Representative and have met with the staff, and I think that the mission can play a significant role, not just in public diplomacy, in explaining U.S. positions to the Europeans, not only in collecting information about

what the Europeans think about different issues and feeding it back to Washington, but giving strategic advice about the kinds of deals that we can strike.

So of all the issues on our plate, it is TTIP on which I will be focusing.

Senator JOHNSON. Do you have a pretty strong sense in your mind of what are the primary challenges in terms of achieving a successful conclusion of those negotiations?

Mr. GARDNER. There are many challenges. The biggest area of promise is, unfortunately, the biggest area of challenge, and that is the standards and regulatory issues. It is not about deregulation. It is about eliminating unnecessary, costly, duplicative, or divergent standards that increase costs while not contributing to citizens' welfare, but instead decreasing the competitiveness.

For businesses, the costs that they make in building duplicative testing or multiple inspections or separate manufacturing lines is money that is not being spent on investment and on growth. So that will be the area where we need to focus.

And by the way, the significant goal for us, Senator, is for the United States to enhance stakeholder participation and transparency and accountability in the EU regulatory system. So we are going to have to approach this issue from many different ways. In some areas, in some sectors, it is already the case that United States and European businesses already look to a set of uniform standards that have been set by certain international accounting standard-setting bodies. In some cases it may be mutual recognition agreements that may be important. And in some case it will be crosscutting principles, such as transparency and accountability and participation in the regulatory process.

So that will be the area of greatest promise and greatest challenge.

Senator JOHNSON. Mr. Yohannes, the United States contributes about 22 percent to the OECD's budget. Do you think that is an appropriate level, and are you aware of anything within that organization that really needs to be looked at from the standpoint of needed reforms?

Mr. YOHANNES. Thank you, Senator. The number was 25 percent until 2008 and the number is expected to go down to about 20 percent in the next 2 or 3 years.

If confirmed, Senator, my job is to make sure that we provide the best oversight, to make sure that American tax funds are spent effectively and efficiently. In the last few years, also the number of countries have increased from 20 to about 34. There are more countries that are pending to be members, assuming they meet all the qualifications. I think we are going to have to look at the governance structure of the organization to make sure that it continues to be relevant, efficient, and effective, and this is a process that is taking place right now, which should be reported to members some time next year.

Again, if confirmed I would like to bring the same rigor and discipline that I brought to the Millennium Challenge Corporation to make sure that we are getting the best out of our contribution.

Senator JOHNSON. Both these positions really are going to be dealing with multiple nations. Do you have a game plan or a con-

cept of how you are going to be dealing with the other ambassadors to the United States within those institutions? I will start with you, Mr. Yohannes.

Mr. YOHANNES. Having spent 30 years in the private sector and having spent the last 4 years, at the end of the day, Senator, it is about people's business. When you work with so many different countries, I think, No. 1, you have to be able to understand the cultures, the history, the views, both social and economic views, global views. You have to understand what influences the decisionmakers, what made them to make those decisions, and to work with members to make sure that we advance U.S. priorities.

So at the end of the day it is how we use the people skills and also the experiences that I have gathered from MCC. If confirmed, again, I plan to use it to make sure that we advance our priorities. But I think the key is to make sure that you understand who the decisionmakers are, the influencers are, and to work with them to make sure that we are advancing our priorities.

Senator JOHNSON. Mr. Gardner, do you have a concept of how you are going to work with other U.S. ambassadors? Is there some sort of coordination of effort there?

Mr. GARDNER. There certainly is and it is a very important part of the job, Senator. On TTIP, we will have to coordinate closely on our positions, not only because there is still a rotating EU presidency, which will include Greece and Italy and Latvia, I believe, but more important there are a number of key countries—Germany, Spain, Poland, United Kingdom, France, and numerous others—and we will need to stay very closely in touch with the ambassadors in those countries to make sure that we are enunciating the same number of messages to the populations and the government officials of those countries, and also for them to be lobbying appropriately at their government level and to help also for them to lobby the European parliamentarians that represent those countries.

There are regular calls on TTIP that are organized by the USTR and in which our mission is going to be involved to ensure we keep one consistent message across all of those countries.

Senator JOHNSON. Thank you.

Thank you, Mr. Chairman.

Senator KAINE. Thank you to the witnesses and the chairman.

Mr. Yohannes, first really just an observation, but I would love your comment. I am kind of a data freak and I love the OECD because it produces a lot of good data. I developed this passion as a mayor and governor when I was always trying to benchmark my city or State against other cities and States. I think the OECD data about higher educational attainment, infant mortality, health outcomes, tax policies, debt and deficit issues, this is very helpful data for us because we rightfully are very, very proud of the country and yet we can never be complacent and assume that we cannot improve. I hope we have not stopped improving in anything we are doing.

So one of the things that I would just really like to commend to you in your role is to continue to press OECD to be very rigorous about the production of reports and data and ranking the OECD nations on all these criteria, because at least this policymaker, and

I suspect many others, find that data to be helpful to us in orienting us toward, well, hmm, we rank real high on a lot of these categories, but here we are low; maybe we should be spending more time over there.

So I will just open that and if there is anything you want to say about that aspect of the OECD mission I give you that opportunity.

Mr. YOHANNES. Senator, OECD has done an outstanding job throughout the years by providing data that have been used by universities and think tanks here, and also very comprehensive analysis to others who do not have the same facilities like we do. And that has been extremely valuable.

In fact, today they are looking in terms of what happened in the 2008 economic crisis, what do we need to change. When they are looking in terms of the model, is it working, does it need to be complemented with a new process? So with their new approach, new challenges to new economic—new approaches to new economic challenges, they are looking to see what needs to be changed, and then all the member countries are waiting eagerly about the outcome so they could continue to spur the economic growth and deal with the new economic challenges that exist in the world.

In addition, they are doing a lot of work in terms of education. The biggest concern today is unemployment among youth. They are looking to see the educational standards that are being used in the testing of young kids so that they could provide them with the best skills so that they are able to meet the future employment opportunities.

So there is a lot of work that is going on at OECD, and we just need to make sure that we continue to support it, at the same time to make sure that those that are not relevant today are discontinued and that OECD continues to concentrate on issues that are very important to member countries.

Senator KAINE. Thank you.

Mr. Gardner, you and I talked a little bit the other day about the NSA issues, which are troubling. One of the aspects, frankly, that is troubling is—and I agree with some of the comments that Senator Murphy made. The Europeans are doing all kinds of things. There may be a little bit of a double standard. But when the President says he does not know certain things are going on, that hardly gives confidence to those nations that, well, OK, I guess they will fix them. If the President does not know they are going on, how will they know to fix the things that are going on?

So I think some of even the messaging around are these intentional programs that we are going to stand behind and justify or are they things that were happening that we did not know were going on—you are going to have a challenge there. But you have already addressed that to some degree with Senator Murphy.

The issue I wanted to ask you about really—and this is also given your private background—the European Union and the eurozone are not coterminous, but the euro has got all kinds of challenges of its own. You have been in the financial industry. I would like to just kind of hear your thoughts on the current challenge in the euro and how you see it playing out over the next few years and how the likely actions that will be taken by euro coun-

tries either pose problems for us or maybe pose some opportunities for us?

Mr. GARDNER. Thank you, Senator, for that question. There have been critics that have said that the euro was not born in ideal circumstances because of vastly divergent economies, there was not an economic or fiscal union, and imperfect labor mobility. But that is the past.

The euro, however, has now weathered a very serious storm and is over its period of existential crisis. A number of my colleagues in London in hedge funds took big bets against the euro and took big hits. I would have never made those bets because the people who did make those bets lost sight of one fundamental fact, and that is that the euro has always been as much a political project as it has been an economic project. And as I mentioned in my opening testimony, one should never underestimate the political will that there is in the European Union to defend the euro and defend the European project.

Confidence has now returned. I have seen it. I have been involved in fundraising for our fund. Flows are coming back into the euro, euro-denominated assets. Growth has returned. Although anemic, it has returned in most countries of Europe. Importantly, bond yields, a very important barometer of investor confidence, have declined significantly. Even a short while ago, bond yields in Italy and in Spain and Portugal and other countries were extremely high, almost unsustainable. They have now come down.

Following the Troika rescues, the European Central Bank and the Commission and the IMF, and the imposition of reform packages and the important interventions of the European Central Bank, a lot has been done. And importantly also, perhaps the most important, unit labor costs have declined significantly in the so-called periphery countries. You may recall that a couple of those countries, many of them, had allowed their competitiveness vis-à-vis Germany to go out of whack 10 years after the founding of the euro. In some cases, particularly in Spain, dramatically those unit labor costs divergences have been recovered, not entirely but significantly.

So a lot has been done, and I am cautiously optimistic. A lot of work still needs to be done clearly in terms of pension reform, labor market reform, privatizations, and, importantly, tax collections, and very important, flow of credit to the private sector needs to be increased. And unemployment remains stubbornly high in some countries. In Spain it is 25 percent. The youth unemployment rate is well over that, in the 40 percent range.

Many countries are going to be facing a legacy of very high debt-to-GDP. But I am—the reason I was saying I am cautiously confident is that the steps are being taken. The first bricks, so to speak, have now been laid for banking union. As you may have seen in the press, now the European Bank will have supervisory authority to supervise the largest financial institutions of the European Union, the top 140. And there are discussions under way to look at deposit insurance, a eurobond, and a resolution mechanism to wind up banks. That is very controversial, but it is underway.

Initial discussions are also being undertaken with regard to fiscal and economic union, again very controversial. But I am confident

over time the institutions of the European Union, not only the Central Bank, will do whatever it takes. Those were the words that were used by the governor of the Central Bank: "We will do whatever it takes. Believe me, it will be enough." And the markets took him at his word.

Senator KAINE. Thank you very much, Mr. Chair.

Senator MURPHY. Thank you, Senator Kaine.

If Senators have a second round of questions, we will do them now. I just have two maybe for you, Mr. Gardner. You will also be taking on this post in the midst of very important negotiations with Iran. Can you just assess—there is constantly conversation here about the difference between the imposition of U.S. sanctions and sanctions through the European Union. Can you maybe assess the itchiness of Europe's trigger finger to maybe ease sanctions that might come at a little different pace than our desired sanctions as we go forward to the beginning of these talks? And then maybe second, talk about what the reaction in Europe may be to a new round of sanctions legislation coming from the

United States Congress, which is something that we are contemplating and some have talked openly about in the last few weeks or months.

Mr. GARDNER. Thank you, Senator. Very important question, very topical question, a very sensitive question.

I do not detect any itchiness of the European Union to relax its sanctions. In fact, they have the toughest sanctions, along with the United States, ever imposed on any country, that include sanctions on the export of oil products, oil derivative products, petrochemicals, and also a ban on financial transactions. Very tough.

So I think it is not a question of the itchiness of the EU institutions. The problem is different, but it is equally serious. The problem we are facing is that a number of recent terrorist designations on individuals and associations have been struck down by the European Court of Justice for lack of due process. And that is because there is no mechanism in the European Court of Justice for the introduction of confidential information that is not shared with the target of those designations.

So the court has struck down a number of those designations, and there is a risk, and it is a serious risk, that after these recent court judgments there will be a flow of new court cases that will say that there was also a lack of due process. We need to act quickly and we are calling upon the European Union to protect the terrorist designations and to make sure that those decisions are not reversed. So that will be one of the key areas for me when I—if confirmed, if I land in Brussels.

Senator MURPHY. My second question: Do you have any sense of what their reaction will be or what you will communicate to them about a discussion in the Senate and the House on a new round of U.S. sanctions coming in the middle of these negotiations?

Mr. GARDNER. Too early to tell. I have not been involved in those discussions, Senator. But I look forward to working with you on that topic.

Mr. COUNTRYMAN. One last question. And if you have not seen this article I will not ask it. But did you happen to see an article in the New York Times about a week or so ago on the lack of trans-

parency in EU lobbying? Is there a U.S. interest in the EU adopting more stringent lobbying requirements for companies, whether they be U.S.-based or coming from other places, appearing before the European Union? Do you think we'll have any role to play in that discussion?

Mr. GARDNER. To be honest with you, Senator, I have not thought about that topic, but I do not think it would be appropriate for us to dictate to the European Union the kinds of standards they should have regarding lobbying. I think that they will consider this issue because lobbying is still a fairly recent phenomenon in the European Union, or at least it is grown exponentially in the last 10 years, certainly from the time I was working in the European institutions back in 1994 or earlier in 1991 and 1992.

So I do not think that we will be pressing them to adopt our system, for example, of registering as lobbyists before they can do business with the European institutions.

Senator MURPHY. I do not particularly have a dog in the fight here. I just know that it may be something that U.S. companies will be talking to you and perhaps to us about if there are some new proposals being made.

Senator Johnson.

Senator JOHNSON. Just real quick. I want to piggyback a little bit on the question that Senator Kaine talked about in terms of the euro itself. Certainly we have seen disruption in particularly Greece, not being the world's reserve currency, actually having to pay the price for their high debt-to-GDP ratio. I am always concerned at what point does the U.S. dollar cease to be the world's reserve currency.

If you want to express an opinion in terms of your knowledge of what you think the prospects are, what kind of movement you are seeing throughout the world in terms of finance, of people denominating trade in other currencies other than the U.S. dollar?

Mr. GARDNER. I think probably that is a question best directed to the U.S. Treasury. But all I can say is that, being involved in a private equity fund and talking to investors from all over the world, there clearly has been concern about what has happened here recently. On the other hand, investors tell us that the United States clearly is the most liquid capital market in the world. There is no obvious alternative at this stage. But clearly countries in the world look to the United States to exercise leadership responsibly as the world's leading economy and leading currency.

I do not see any change to that situation immediately, but our position demands acting responsibly in the future, because over time investors do have a choice and we have seen the Chinese and other Asian investors exercising that choice.

Senator JOHNSON. That is kind of what I wanted to know in terms of your experience. Have you started to see that shift?

Mr. GARDNER. I have just seen anecdotal evidence of it, Senator, just from my small patch of ground in London, a private equity fund. But I cannot comment on the larger data.

Senator JOHNSON. OK, thank you very much.

Senator MURPHY. Thank you to both of our witnesses. We are going to keep the record open for questions just until noon on Friday, and if there are any questions that come in we hope that you

will respond as quickly as possible so that we can move your nomination to the committee and then to the floor.

With that, thank you for your time. Thank you for the time of the committee members, and this hearing is adjourned.

[Whereupon, at 3:16 p.m., the hearing was adjourned.]

ADDITIONAL QUESTIONS AND ANSWERS SUBMITTED FOR THE RECORD

RESPONSES OF DANIEL W. YOHANNES TO QUESTIONS SUBMITTED
BY SENATOR ROBERT MENENDEZ

Question. Given China's growing provision of export financing, how will you work with other OECD members to ensure that the OECD Arrangement on Export Credits continues to maintain a level playing field for U.S. exporters? What changes do you believe should be made to the Arrangement in order to better compete with the non-OECD compliant financing methods of China and other nations? How will you work with other OECD members to form a modernized agreement on export credits with China and other major exporters?

Answer. If confirmed by the Senate, I will support the continuing efforts within the OECD of the Export Credits Group (ECG) and the Participants to the Arrangement to engage with China, Russia, and other emerging market providers of official export credits in order to promote a level playing field for U.S. exporters. These groups remain the leading world forums for exchanging information on export credit practices and seeking international cooperation and policy convergence.

Outside of the OECD framework, in 2012, the United States and China agreed to establish an international working group of major providers of export financing "to make concrete progress toward a set of international guidelines on the provision of official export financing that, taking into account varying national interests and situations, are consistent with international best practices, with the goal of concluding an agreement by 2014." This working group, the International Working Group on Export Credits (IWG), held its inaugural meeting in November 2012, as well as three subsequent meetings in 2013, and involves all major providers of official export credits. For the USG and its OECD counterparts, the goal of the IWG is to help ensure a level playing field by bringing all major export credit providers under a common set of official export credit guidelines, which will allow our exporters to compete on the basis of the quality and price of their products, rather than on the generosity of officially supported export financing.

Question. Critics of free trade and open markets often contend that the pursuit of free market economics of the type advocated by the OECD worsens income disparity between the richest and poorest countries. Given your experience as chief executive officer for the Millennium Challenge Corporation (MCC), what policies will you advance to decrease the gap between the richest and poorest countries? Additionally, how will your experience at MCC inform your work in international tax policy and corporate governance?

Answer. OECD policies and best practices do not create income disparity. To the contrary, the OECD has been on the forefront of analyzing this complex issue, through both its seminal 2011 report "Divided We Stand" and its creation of a database to track trends and generally seeking to create policies to reverse this growing disparity.

The OECD promotes effective, transparent, accountable, and democratic institutions; institutions that recognize the critical role of a universal, rules-based, open, nondiscriminatory and equitable multilateral trading system; and meaningful trade liberalization. These goals can stimulate economic growth and development worldwide and benefit countries at all stages of development.

The guiding principles of the Millennium Challenge Corporation (MCC)—the importance of good governance and the rule of law at both the national and international levels, and economic freedom—create an enabling environment for sustained and inclusive economic growth, social development, and the eradication of extreme poverty and hunger.

Similarly, policies of transparency and good governance support the OECD's work on international taxation policy and corporate governance which perform a key function in enabling global development underpinning cross-border economic activity as well as domestic resource mobilization and good financial governance. If confirmed by the Senate, I would support work of the OECD that promotes these policies and principles. One of my priorities in international tax policy would be to support

OECD work that helps developing countries to raise more of their own tax revenue, including supporting OECD tax reviews for developing countries. This work is particularly important for most of the low-income countries of Africa and South Asia and is critical to meet the need for adequate financing of their needs for current government services (especially health services) and public infrastructure (a key to future economic growth) and to reduce dependency on donor financial assistance in the future.

The U.S. Government is active in the OECD Corporate Governance Committee and will fully support the 2014 update of the OECD Principles of Corporate Governance, including by inviting more developing economies in the process to create a greater sense of ownership and to promote their widespread adoption. The Principles are used as the benchmark for international assessments, including by the World Bank and International Monetary Fund, to assist countries in increasing the transparency and independence of board functions and ensuring the equitable treatment of shareholders, as well as inclusion of broader stakeholders.

As chief executive officer of MCC, I learned that promoting the economic growth and self-sufficiency of developing countries, including the building of sound public institutions, is critical to their economic progress. To further those goals I would similarly continue to support OECD investment and public governance reviews of developing countries. OECD investment reviews identify policies to improve the country's investment climate that can lead to greater foreign direct investment and economic growth, while OECD public governance reviews promote the development of policies that strengthen public institutions.

RESPONSES OF ANTHONY L. GARDNER TO QUESTIONS SUBMITTED
BY SENATOR ROBERT MENENDEZ

Question. The Transatlantic Trade and Investment Partnership (TTIP)—a proposed free trade agreement (FTA) being negotiated between the United States and the European Union (EU)—has the potential to yield significant economic gains. According to some estimates, the benefits from a tariff-only agreement could be as much as \$4.5 billion for the United States and many economists view tariffs as the “low-hanging fruit” in the negotiations. In your view, what are the potential benefits of the TTIP and in what areas can the United States achieve the greatest gains? To what extent is the EU committed to tackling some of the most likely sticking points—for example, in the agricultural sector? As U.S. Representative to the EU, how will you help to ensure the United States realizes the greatest gains?

Answer. The Transatlantic Trade and Investment Partnership (TTIP) offers a historic opportunity to expand what is already the world's largest economic partnership—a partnership upon which more than 13 million jobs on both sides of the Atlantic already depend. TTIP gives us the opportunity to take this dynamic partnership to the next level, generating more jobs, more investment, and more opportunities for companies small and large, while maintaining the high health, safety, and environmental standards our citizens expect and deserve.

The greatest opportunity—and the greatest challenge—of TTIP are in the area of regulation and standards. In TTIP, we will seek to eliminate, reduce, or prevent unnecessary “behind-the-border” nontariff barriers resulting from regulatory divergences that damage our collective competitiveness in an increasingly integrated global economy. We can achieve this objective without reducing health, safety, and environmental protections by, for example, reducing redundant and burdensome testing, increasing transparency and openness, and ensuring that U.S. bodies are permitted to test and certify products sold in Europe. In addition, we will seek to identify ways to reduce costs associated with regulatory differences by promoting greater compatibility between our systems. Achieving an outcome that results in greater transparency and accountability in regulatory processes is also critical to addressing and preventing nontariff barriers, and we have made it a centerpiece of our approach to TTIP.

The United States and the European Commission have already agreed to pursue a comprehensive agreement, and we have made it clear that any comprehensive agreement would have to address tariff and nontariff barriers facing our agricultural exports. As the “Final Report of the High Level Working Group on Jobs and Growth” noted, an ambitious comprehensive agreement offers the most significant mutual benefit, compared with less ambitious options. The EU has assured us they are prepared to work hard toward a very ambitious outcome.

We are encouraged by successes this year in tackling longstanding issues in agricultural trade, namely sanitary and phytosanitary (SPS) measures. On February 4, the EU approved final regulations to allow the use of lactic acid as a pathogen

reduction treatment (PRT) on beef. This is the first PRT to be allowed in the EU, and it is an important step forward. And on November 1, the USDA Animal and Plant Health and Inspection Service announced a final rule that will modernize import regulations for BSE “mad cow” allowing for the safe trade of beef and beef products from countries with a history of BSE, a priority for the EU. We know negotiations will be difficult in some areas, but it can be done.

If confirmed, I plan to highlight the ways a successfully negotiated TTIP agreement could strengthen the contribution of trade and investment to jobs, growth, and competitiveness in our economies, and set the standard for future regional and multilateral trade agreements.

Question. Given the recent revelations of NSA surveillance activities in Europe, are you concerned about the future of U.S.–EU information-sharing agreements such as SWIFT and PNR, or the ongoing talks on a U.S.–EU Data Privacy and Protection Agreement (DPPA)? Given that many economists regard the potential gains from market access reform as a fraction of what could be achieved through regulatory and trade-related rules reform, how would greater data protections in the EU affect the potential gains from TTIP?

Answer. As a nominee for this position, I have not yet been a part of the discussions on these issues and therefore, am not in a position to comment extensively on the impact of recent allegations of NSA surveillance in Europe on the U.S.–EU SWIFT and PNR Agreements and ongoing U.S.–EU negotiations on the DPPA. I recognize, however, that the allegations of NSA surveillance activities have generated challenges in our relationship with the EU. In that regard, I would like to reiterate several commitments the President has made in the wake of these allegations.

The President has committed to a full review of the way we gather intelligence so that we can ensure we are properly balancing the legitimate security concerns of our citizens and allies with the privacy concerns all people share. The President has asked his national security team, as well as outside experts to review how, in light of changing technologies, the United States can best use its technical collection activities to optimally protect U.S. national security and foreign policy interests while respecting U.S. commitments to privacy and civil liberties. In the meantime, it is clear we need to continue to consult with our allies and partners on issues of mutual concern. If confirmed, I look forward to working with them on such issues.

On the more general issue of data transfers, the United States continues to work with the EU to enhance cross-border data flows to help build our world-leading e-commerce sectors. The Terrorism Finance Tracking Program and Passenger Name Record agreements have served U.S. and EU interests and should be maintained. The TTIP negotiations should reflect our mutually agreed Trade Principles for Information and Communication Technology Services on cross-border information flows while respecting our different regulatory regimes, both of which include a deep commitment to privacy protections.

Question. Some member countries support further political and economic integration of the EU and the eurozone. In your opinion, would this shift be beneficial to U.S.–EU relations? What challenges and/or benefits would integration present as EU membership continues to increase?

Answer. The United States has a profound interest in Europe’s stability and growth. Europe remains our largest economic partner, and we are closely linked in many ways. We look forward toward continued partnership and strong U.S.–EU relations.

The U.S. and global economy face headwinds as deleveraging in the banking and business sectors, among other factors, slows Europe’s economic recovery and job growth. We are pleased to see the EU’s progress toward a banking union, and note the recent EU approval of the European Central Bank’s direct supervision of some 130 of the eurozone’s largest banks, starting November 2014.

The United States fully supports moves toward a full banking union in Europe, including not only a single supervisory mechanism, but also resolution authority, recapitalization capacity, credible deposit insurance, and some degree of risk-sharing among members. Beyond the banking union, European Commission officials and others have said that forging a deeper fiscal or political union would likely require a treaty change. Those are decisions for EU member states to make.

NOMINATIONS OF CAROLYN HESSLER RADELET AND MICHAEL G. CARROLL

WEDNESDAY, NOVEMBER 6, 2013

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

Hon. Carolyn Hessler Radelet, of Virginia, to be Director of the
Peace Corps
Michael G. Carroll, of New York, to be Inspector General, United
States Agency for International Development

The committee met, pursuant to notice, at 10:20 a.m., in room
SD-419, Dirksen Senate Office Building, Hon. Edward J. Markey,
presiding.

Present: Senators Markey, Kaine, and Barrasso.

OPENING STATEMENT OF HON. EDWARD J. MARKEY, U.S. SENATOR FROM MASSACHUSETTS

Senator MARKEY. Good morning, and welcome to today's hearing.

We are joined today by two distinguished and highly qualified individuals who have been nominated to fill important executive branch roles.

The first is Carolyn Hessler Radelet, who has been nominated for the position of Director of the United States Peace Corps. She is an accomplished leader in international development and public health, with more than two decades of experience improving organizational operations and combating global health problems like HIV/AIDS. I could go on about Ms. Hessler Radelet, but we actually have Senator Johnny Isakson and former Senator Harris Wofford here to give much more thorough introductions to her, momentarily, so I will leave it there.

We are also joined today by Michael Carroll, who has been nominated for the position of Inspector General of the United States Agency for International Development. Mr. Carroll has been the deputy inspector general since 2006 and has twice served as the acting inspector general during that time. He has three decades of government service and has held numerous management positions throughout the Federal Government, including with the Department of Commerce and the U.S. Nuclear Waste Technical Review Board. His understanding of foreign affairs and America's agencies engaged in foreign affairs is a proven national asset, and I believe

that it will serve him and our Nation well if he is, indeed, confirmed as USAID's inspector general.

Both of the nominations we are considering today are for positions in which I believe topnotch management is needed, now more than ever. At USAID, more and more resources and personnel have moved into conflict zones, like Iraq, Afghanistan, and Pakistan, where we are facing big, new challenges. There are very large contracts in play, heightened security concerns, and the rule of law is often fragile. Detecting and preventing fraud, waste, and abuse in these places is both more challenging and more necessary. The inspector general's oversight has never been more critical at USAID, in my opinion.

And, at the Peace Corps, it is time to lean forward. As a Senator from Massachusetts, I have deep appreciation and respect for the program that President Kennedy and Sargent Shriver and Harris Wofford created in order to involve Americans more actively in the cause of global democracy, peace, development, freedom, and friendship. These founding objectives remain central to Peace Corps' mission, yet, in the past 52 years since the agency was created, entirely new models of international development, inter-agency coordination, and U.S. personnel security have required the Peace Corps to periodically adapt to those operations.

I believe now can be a period of modernization for the Peace Corps. The 2010 Comprehensive Assessment Report that the agency commissioned has provided a detailed blueprint to chart that modernization effort. Let us align the work of the Volunteers with broader development objectives and resources in their regions. Let us give Volunteers access to training that will help them maximize their impact in their host communities and also make them more prepared to be leaders when they return home. Let us think creatively about how to bring the lessons and experiences of Volunteers back here to the United States, back to our classrooms, our living rooms, and our boardrooms.

I look forward to discussing these and other challenges facing your respective agencies, as well as your visions for addressing them.

With that, I would like to recognize the Senator from Wyoming, John Barrasso.

**STATEMENT OF HON. JOHN BARRASSO,
U.S. SENATOR FROM WYOMING**

Senator BARRASSO. Thank you so much, Chairman Markey. Thank you for your leadership in organizing this nominating hearing.

And today marks, I think, your first hearing chairing this subcommittee. So, congratulations. I look forward to working closely together with you on the critical issues within the jurisdiction of our subcommittee.

The Senate Committee on Foreign Relations is meeting today to consider very important nominations, and I would like to first congratulate both of you on your nominations to these important positions. In addition, I want to extend a warm welcome to all of your friends and family who are here joining you today.

Should you serve our Nation in these important posts, it is important that each of you provide strong stewardship over American taxpayer dollars, demonstrate professionalism and good judgment, and vigorously work to advance the priorities of the United States. So, I hope you will lay out your vision and your goals for each of these positions, and what your plan will be in achieving them. I look forward to your testimony.

It is wonderful to see Senator Wofford back, and thank you for joining us today at the Senate Prayer Breakfast. And, again, thank you, to my friend Senator Isakson, who is always involved in the Senate Prayer Breakfast and lends a level of ethics and credibility and high moral standards to this entire institution. So, I am delighted to have you.

I am also joined, Mr. Chairman, by one of my interns, Ryan Lojo, from Casper, who is here, today, behind me. He has been accepted to join the organization that you are looking to chair in the Peace Corps, and he will, after leaving my office, be heading to the Dominican Republic. And I know, Mr. Chairman, he may be assisting me in some tough questions for the new Director of the Peace Corps.

Thank you, Mr. Chairman.

Senator MARKEY. I thank you.

And again, you are right, I began chairing hearings in the House of Representatives as a subcommittee chairman in 1981, but I have never held a Senate gavel at the subcommittee level before. And so, it is a great honor to be able to make my debut doing that here today.

And we welcome Senator Isakson here today to introduce, along with Senator Wofford, our Peace Corps nominee.

So, Senator Isakson.

**STATEMENT OF HON. JOHNNY ISAKSON,
U.S. SENATOR FROM GEORGIA**

Senator ISAKSON. Well, thank you, Chairman Markey. It was a privilege to serve with you in the Congress. We welcome to the United States Senate, and I appreciate the opportunity to commend to the Foreign Relations Committee and the United States Senate, Carrie Hessler Radelet, who has become a friend of mine through her hard work with the Peace Corps as an Acting Director.

I first learned of Carrie after the passage of the Peace Corps Protection Act, the Kate Puzey Peace Corps Protection Act. It is named after Kate Puzey, a citizen from my district who was brutally murdered in Benin 4½ years ago. After that passage of that act, we learned of a number of other sexual violence cases and violence cases against Peace Corps Volunteers back through the history of the Peace Corps and decided to really make an effort to improve the safety and security for our Volunteers as well as the post-service services we could provide to our Volunteers who had had a trauma either of a sexual nature or a violent nature.

Carrie has seen to it that that has taken place and has implemented the policies of the Kate Puzey Peace Corps Protection Act, as well as additional policies, to see to it the Peace Corps is a safer, better place than it was in the past. And it has always been a great, great place.

Ironically, also, she is not a newcomer to the Peace Corps. She is a fourth-generation Peace Corps participant. In her family, there are four different citizens who Volunteered for the Peace Corps, including her aunt, who was the 10,000th Volunteer, if I am not mistaken, and is here today.

Ms. RADELET. And who is here today, yes.

Senator ISAKSON. The 10,000th Volunteer to the Corps. And she served in 1964.

Senator MARKEY. Could you stand up, please?

[Applause.]

Senator ISAKSON. And I didn't know this until I was just informed by Carrie, but the father of the fourth-generation nephew who served in the Peace Corps is also here. So, if he would stand up.

[Applause.]

Senator ISAKSON. Would not have any Volunteers if it were not for those fathers and mothers, so we appreciate you being here. [Laughter.]

But, it is just an honor and a privilege for me to commend to the committee, Carrie Hessler Radelet, who has done a terrific job as Acting Director, will be a terrific person as the full Director, and I am sure will be confirmed unanimously by the United States Senate.

And my last comment is an apology, because I am on the Finance Committee, where Secretary Sebelius is now testifying, and I cannot stay here. But, I will leave my love and my support and my recommendation for Carrie.

Ms. RADELET. Thank you so much. Appreciate it.

Senator MARKEY. Thank you, Senator.

And Harris Wofford, a confidante of President Kennedy, of Robert F. Kennedy, of Martin Luther King, a great Senator from the State of Pennsylvania, it is an honor to have you here, sir. Whenever you are ready, please begin.

**STATEMENT OF HON. HARRIS WOFFORD,
FORMER U.S. SENATOR FROM PENNSYLVANIA**

Senator WOFFORD. Senator Markey—with your new gavel—Senator Barrasso, and Senator Isakson.

Half a century ago, the siren call of the Peace Corps drew me from President Kennedy's staff as Special Assistant to the President for Civil Rights to go to Ethiopia as the Peace Corps Director in that country and also serve as the Peace Corps special representative to Africa. In late 1962, my wife and two children went with some 300 Peace Corps teachers, soon to be followed by another 150. Together, they doubled the number of college graduate secondary-school teachers in Ethiopia.

Seeing the Volunteers in action there and in the rest of Africa, I recognized that the highest office in the Peace Corps is not any staff position. The most honored title is that of a Peace Corps Volunteer.

More than 50 years and 200,000 Volunteers later, that remains true, as does President Kennedy's statement at the beginning of the bold, new venture in international service, that the effort must be far greater than we have ever made. The Peace Corps remains

the one lasting embodiment of Kennedy's call to ask what you can do for your country, linked to his call on other countries to join in what, together, we can do for the world.

These are some of the reasons I am happy to be able to join Senator Isakson in introducing to you again Carrie Hessler Radelet. This time, she is here before you for confirmation as the Director of the Peace Corps. As Sargent Shriver hoped would be the case when there was a wealth of Volunteers who had returned from service in Asia, Africa, Latin America, and the Middle East, she is a former Peace Corps Volunteer. She comes now with fresh experience as the Corps' Deputy Director and then the Acting Director of the Peace Corps.

In these recent years, I have seen her in action in challenging times, times which call for a strong and effective Peace Corps as much as they called for such a Peace Corps in the 1960s. My appreciation and admiration of her leadership has only grown in these testing years.

After her service as a Peace Corps Volunteer, Carrie had important experience in international public health work with technical expertise in the crisis of HIV/AIDS in Africa and Indonesia, including her work with the Office of Global AIDS Coordination through the President's Emergency Plan for AIDS Relief, PEPFAR, one of America's most valued achievements overseas so far in this century and one of the most vital areas of service by Peace Corps Volunteers today. I am confident she is a leader who can guide us in the development of the 21st century Peace Corps that the world needs, one that will make this committee and this country proud.

Thank you.

Senator MARKEY. Thank you, Senator. And again, it is an honor to have you here.

Ms. Radelet, whenever you feel comfortable, please begin.

STATEMENT OF HON. CAROLYN HESSLER RADELET, OF VIRGINIA, TO BE DIRECTOR OF THE PEACE CORPS

Ms. RADELET. Thank you, Chairman Markey, Ranking Member Barrasso, and other members of the committee, for having me here today. I am deeply honored to come before this committee to seek confirmation to be the next Director of the Peace Corps.

Thank you, Senator Wofford, for your kind introduction. There is no one who has done more to further the cause of national service than Harris Wofford, and it is such a privilege to be here with you here today.

I would also like to thank Senator Isakson for his remarks. He has been a true champion for Peace Corps Volunteers, especially in Africa, and such an incredible source of support for the Puzey family.

I would like to thank President Obama for nominating me to be the 19th Director of the Peace Corps. It has been such a privilege to serve in his administration.

And I would especially like to thank my husband, Steve, and other members of my family who are here today, for all of their love and support.

My history with the Peace Corps runs deep. Four generations and six members of my family have served as Peace Corps Volun-

teers, including my aunt Ginny, who you met earlier, both of my grandparents, my husband, and my nephew, and myself.

My Peace Corps service in Samoa changed my life. It shaped my passion for international development and launched my career. I want to ensure that all Americans who want to serve overseas have the opportunity to do so and to bring their experience back home to make a difference here in the United States.

Over my past 3 years with the Peace Corps, first as Deputy Director and chief operating officer, and now as Acting Director, I led an extensive reform effort to modernize and strengthen all aspects of our operations. With the active support of Congress and under the leadership of then-Director Aaron Williams, we have dramatically improved the quality of our support for Volunteers. We have strategically targeted Peace Corps' resources and country presence to maximize impact, using data to guide our decisionmaking, and we have streamlined Peace Corps' operations by using new technology to create a culture of innovation and excellence. This reform has positioned our agency to make an even greater impact in the years to come.

I envision Peace Corps as a dynamic, forward-leaning champion for international service. I see a Peace Corps that plays a major role in helping our country make a real difference in the lives of the world's poor. I envision a Peace Corps that is defined by its energy, its innovation, and its impact. I see it as "the" place for Americans who are drawn to service abroad. But, most important, I see Peace Corps Volunteers who, through their lives, show the world the compassion, tolerance, and dedication to service that has always characterized the American people.

If confirmed, I will lead the Peace Corps toward this vision by revitalizing recruitment and outreach to ensure that all Americans know about the Peace Corps, with a focus on building a Volunteer force that represents the quality and rich diversity of the American people; by working in partnership with other U.S. Government agencies to save our country millions of dollars while magnifying the impact and sustainability of our Nation's development work; by empowering our Volunteers to achieve measurable results in their host communities and giving them the training, tools, and experience they need to become the next generation of American global leaders; and by continuing to strengthen support for our Volunteers so they can be healthy, safe, and productive throughout their service.

Peace Corps is one of America's best ideas. Our team is ready to take Peace Corps to a whole new level of engagement and achieve even greater impact for our Nation and the nations in which we serve.

As testimony to the critical role of Peace Corps, this is what President Ellen Johnson Sirleaf, of Liberia, had to say about our Volunteers, just last month, "Peace Corps Volunteers are visible evidence that the people of the United States stand with us for peace, for prosperity, for justice and equality. By living and working among us, your Volunteers help us to create the conditions where hope and kindness and opportunity can flourish. They make such a powerful difference in the lives of my people."

That is why I am here today: because I care deeply about our mission and about our Volunteers who serve our country around the world. I am so grateful to our Volunteers and staff, past and present, for their dedication to service. If confirmed, I am committed to serving them as their Director of the Peace Corps.

Thank you for inviting me today, and I welcome any questions you might have.

Senator MARKEY. Thank you so much.

And could I ask the audience to do this, as well, because we have an opportunity that very rarely comes into our presence. I would like to give a round of applause to Harris Wofford, as well, for his incredible service to—

[Applause.]

Senator MARKEY [continuing]. He is a historic figure.

So, welcome, Mr. Carroll, and thank you for your service, as well. And whenever you are ready, please begin.

**STATEMENT OF MICHAEL G. CARROLL, OF NEW YORK, TO BE
INSPECTOR GENERAL, UNITED STATES AGENCY FOR INTER-
NATIONAL DEVELOPMENT**

Mr. CARROLL. Thank you. That is a tough act to follow. [Laughter.]

It is an honor, Chairman Markey and Ranking Member Barrasso. It is an honor to appear before you today as you consider my nomination for inspector general of USAID.

To begin, I would like to take a moment to thank my wife, Nancy, and my son, Matthew. They have been an inspiration to me over the course of my career.

I would like to thank the President for his confidence in me and in nominating me for the position.

And I would also like to thank the men and women of the USAID OIG. I have had the pleasure of working with them for 12 years now, and it has been an honor to work with them and to lead them.

And finally, I would like to thank Raj Shah. We have developed a very productive and respectful relationship over his tenure as the AID Administrator, and I look forward to maintaining that relationship if I am confirmed as the inspector general.

Like my father before me, who was a naval officer in World War II and a career civil servant, I have spent 31 years serving the United States Government in public service. I am very proud of that service. And 20 of those years have been spent in foreign affairs at the former U.S. Information Agency and also in the AID OIG, overseeing foreign assistance. And I would like to think that that experience makes me uniquely qualified to be the next inspector general of USAID.

I started my career at the AID OIG in 2000 as the Assistant Inspector General for Management. I became the deputy inspector general in 2006, under then-IG, Hon. Don Gambatesa, and then, when Don Gambatesa retired in 2011, I became the acting IG, and I have been so ever since. And I do believe that those experiences that I have developed over my 31 years, and particularly in the 12 years at the USAID OIG, do make me uniquely qualified for the position of inspector general.

If confirmed as the next inspector general, the fifth inspector general in the history of AID, I would like to assure the committee of my commitment to three core operating principles, if you will. And the first, and, in my opinion, the most important, is independence. I do not think you can have effective oversight unless you have independent oversight, and I will do everything within my legal authority to ensure, to maintain, and to defend that independence.

Second, I am committed to producing and conducting timely, high-quality, thoughtful, and relevant oversight, not only to improve the agency's programs and operations, but also to, hopefully, influence, in a positive way, the deliberative process that goes on here in Congress and that happens more broadly in the development community as a way for you to conduct thoughtful oversight of AID, relying on our oversight.

And last—and this is as important as anything else—is maintaining, and what I would like to believe we have maintained, an outstanding working relationship with this committee and other committees that have oversight responsibilities over AID and MCC and USADF and IAF. I think it is critical that we work together. I appreciate my responsibility, as laid out in the IG act, that I report to Congress. I take that very seriously. And, like I said, I would like to think it has been a good relationship over the years, but I am certainly wide open to any feedback or suggestions the committee members or staff might have on improving that relationship.

And, if I could, I would just like to end with an observation, and it is in line with what you said earlier, Senator Markey. And that is: Inherently, foreign assistance is a high-risk enterprise. When you consider the fact that many of the countries that AID operates in are at or near the bottom of the Transparency International Corruption Index, when you add to that the fact that, since 2001, AID has operated in some of the most dangerous and nonpermissive environments on the planet, in countries like Afghanistan, Iraq, Pakistan, Haiti, Sudan, and now Syria, that requires, in my opinion—and that—I am not—and I am not here to say that that level of risk is unacceptable, because it is not. But, what it does speak to is the need for thoughtful oversight as a way to mitigate that risk by providing transparency and effectiveness in those agency programs. And I really feel confident that, if confirmed, with my colleagues at the USAID OIG, we can provide an effective level of oversight of those programs to ensure their effectiveness and to ensure their accountability.

Again, it is an honor to appear before the committee today, and I look forward to take any questions you may have.

Thank you very much.

[The prepared statement of Mr. Carroll follows:]

PREPARED STATEMENT OF MICHAEL G. CARROLL

Chairman, Ranking Member, and members of the committee, thank you for the opportunity to appear before you today. It is an honor to come before you as the nominee to serve as Inspector General for the U.S. Agency for International Development (USAID).

If you will permit me, I would like to take a moment to introduce my family. My wife, Nancy, and our son, Matthew, are here with me today. I would like to thank

them for their support during my time in public service. No measure of verbal acknowledgement can fully reflect my gratitude for the inspiration and encouragement that they have provided over the years.

I would also like to thank the President for his consideration for this important office and Administrator Shah for his support. If confirmed, I look forward to a productive working relationship with the Administrator and his management team in ensuring proper oversight of foreign assistance programs and operations.

I have dedicated nearly my entire professional life to public service, so it is a distinct honor to be considered for this leadership position in the Federal Government. My experience in leadership positions in five federal agencies has shown me the integral role that effective public administration can play in the proper functioning of an agency. I have devoted much of my career to creating an effective management environment in which programs and operations thrive, and I would value the opportunity to do so as Inspector General.

The inspector general community plays a critical role in reinforcing the accountability and integrity of government programs and strengthening the efficiency and effectiveness of operations. These are responsibilities that I value deeply as a citizen and a taxpayer. I have worked assiduously in my past and present capacities within the USAID Office of Inspector General (OIG) to ensure that the organization contributes materially in these areas.

I would especially look forward to the opportunity to continue to serve my country as Inspector General for USAID. I spent many of my formative years overseas—in Turkey, Guam, the Philippines, and Cuba—and in the process acquired a deeply rooted appreciation for our great Nation's place in the world. In my professional life, I have served in leadership positions in foreign affairs agencies for more than two decades and I have developed a keen understanding of the role that international engagement and foreign assistance play in supporting our national interests and security.

USAID does important work to advance U.S. foreign policy interests and to help people around the world make a better life for themselves. To effectively perform this function, USAID programs and operations must be implemented in a sound manner that yields the results that the American people and Congress expect. The Inspector General has a vital role to play in helping the Agency fulfill its mandate in this regard.

USAID faces many formidable challenges in carrying out its mission. To promote human progress and expand stable, free societies, USAID works in countries where rule of law is tenuous and corruption is endemic. In promoting the sustainability of hard-won development gains, USAID looks to work more closely with and through local institutions that are still developing key business systems and controls. In this context, the OIG plays a pivotal role in shaping the success or failure of Agency programs and is essential to address the ever present risks of waste, fraud, and abuse.

The importance of this oversight function is multiplied in institutional settings characterized by a high degree of dynamism and volatility. Foreign affairs agencies as a group face significant changes in their operating environment as conditions abroad shift. And, in recent years, USAID has embarked on reforms designed to improve internal operations and transform its approach to delivering development assistance. Changes of this kind increase risks. In the face of these developments, OIG is working to ensure that the Agency has systems in place to properly manage these changes while directly responding to associated risks of waste, fraud, and abuse.

In addition to providing oversight of USAID, the USAID Inspector General has responsibility for oversight of the programs and operations of the Millennium Challenge Corporation, the U.S. African Development Foundation, and the Inter-American Foundation, and also has limited oversight authorities relating to the Overseas Private Investment Corporation. If confirmed, I would look forward to working with the leadership of these organizations to combat waste, fraud, and abuse, and to strengthen their respective abilities to execute their missions.

I understand that the responsibilities of the position to which I have been nominated are great and I know that it will present many challenges. Nevertheless, I believe that the knowledge and experience that I have gained over the course of my life have prepared me for these challenges.

I have a profound commitment to accountability and high performance and I demand the highest level of ethical conduct from myself and others around me. I take the public trust very seriously and have always been firmly dedicated to the prudent use of taxpayer dollars. Over the course of my career, I have developed a reputation as a dynamic leader and a thoughtful steward of government resources. In an oversight capacity, I have always worked to ensure that my organization's

products are free from bias and reflect fairly and honestly on the subjects of our work.

For the last 7 years, I have served alternately as Acting Inspector General and Deputy Inspector General at USAID. This experience has prepared me in a unique way for the USAID Inspector General position and given me special insight into the inner workings of the agencies for which we provide oversight. My experience serving in these capacities has also helped me build on the management and leadership skills I developed in previous assignments. In the past, I have served in senior positions at the U.S. Department of Commerce, the U.S. Nuclear Waste Technical Review Board, and the U.S. Information Agency. I also served as the Assistant Inspector General for Management at USAID OIG.

In my time with USAID OIG, I have had the great benefit of working with the many high-caliber professionals that make up the organization. OIG's workforce consists of skilled Foreign Service and Civil Service auditors, investigators, and analysts that provide hands-on oversight of development and stabilization activities around the globe. This work frequently takes them into challenging settings, such as conflict and post-disaster environments, where security and safety are all too often in short supply. Their dedication to get the job done in the face of these and other obstacles presented by the complex environments in which they operate is truly commendable. I consider myself fortunate to serve with a group of such diligent and motivated public servants.

If confirmed, my priorities as Inspector General would include maintaining OIG's robust, forward-deployed audit and investigative capabilities while increasing the office's ability to deliver products that inform the deliberative process surrounding foreign assistance. I would continue to promote effective coordination with oversight partners and redouble efforts to strengthen the accountability environment in which foreign assistance programs operate. Because local conditions frequently shape the success or failure of development activities, I would work to increase engagement with local law enforcement and prosecutors, host-country audit entities, and the public through country-specific hotlines for reporting fraud, waste, and abuse. I would also continue to uphold the highest standards for integrity, fairness, and impartiality in the OIG's work and zealously guard its independence, while promoting communication with Congress and agency leaders on important oversight issues.

The effective execution of USAID OIG's important mandate calls for dedicated leadership. The American people deserve an Inspector General at USAID who is fully committed to ensuring that taxpayer dollars are spent in an effective manner and that risks of waste, fraud, and abuse are met squarely and with unwavering resolve. I fully embrace this commitment and believe that my experience has prepared me for the challenges of this position. If I am confirmed, I will look forward to having the opportunity to exercise the skills and judgment I have developed over the years in performing the important functions of the USAID Inspector General.

Thank you very much for the opportunity to address the committee today and for your consideration of my nomination to this important position. I would be happy to answer any questions you may have.

Senator MARKEY. Thank you, Mr. Carroll, very much. We thank both of you.

And the chair will recognize himself for a brief number of questions. And I will begin just by noting that both of these nominees have done the jobs that they are nominated for, in an acting capacity. So, both of them are ready to do the job on day one, if they are confirmed, which I hope that they are. They have both been given the opportunity to prove that they have the capacity to do these jobs, and they have both proven that they can do them. And I think that is something that our country is going to benefit from.

So, let me begin with you, Ms. Radelet. Talk a little bit, if you can, about, you know, the most recent comprehensive review of the agency and what you believe are the one or two key things that you want to see happen during the time that you are in charge of this important agency.

Ms. RADELET. Thank you very much, Senator Markey. And congratulations to you on taking the gavel for the first time.

Senator MARKEY. Thank you.

Ms. RADELET. We are delighted that we are the lucky beneficiaries.

I was so fortunate, because I came into the Peace Corps in 2010 at the exact time that the team was responsible for carrying out the Comprehensive Agency was formed, so—Agency Assessment was formed, so I was able to be part of that assessment from the very beginning. And we took a 6-month term to really evaluate all aspects of our operations so that we could improve the quality of our support for Volunteers, but also improve the strength of our operations so that we could be more effective.

The result of that assessment was 64 separate recommendations that we have been working on very carefully since that time. We developed a strategic plan, which has guided our operations. And I was very fortunate to be in a position to lead the reform effort.

A few of the things that I am most proud of related to that is the Country Portfolio Review, which is a data-driven, objective way of looking at our country presence and allocating our resources across the globe. This is a very rigorous process. We are now in our fourth annual Country Portfolio Review. It just, actually, is starting tomorrow. And we use data from a number of different sources related to need, related to safety and security and health, related to reaching out to those countries where perceptions of Americans may be lowest so that we can achieve our second goal, which is promoting a better understanding of Americans. We look at host-country contribution and how involved and engaged they are in our programs. We look at a number of different safety and security and medical indicators.

So, it is a very comprehensive look at our footprint across the globe, and it has led us to be far more effective and impactful over the years. And, as a result, we have shifted our presence. We have reduced our presence in nine countries. We have ramped up our presence in a number of others. And we have entered a couple of others. So, it has really resulted in a very rigorous assessment of our impact and enabled us to use our resources in the most effective way possible. That is one big initiative.

Another big initiative is our “Focus In/Train Up” initiative, which is a dramatic revamp of our training and technical support to Volunteers so that they could be most effective in their jobs. We are working in close collaboration with our other U.S. development partners in this endeavor—with USAID and PEPFAR and President’s initiative—so that we can make sure that our interventions support their efforts in-country, and so that we can also be sure that our Volunteers are implementing those project areas that have proven, through evidence, to be most effective at achieving development impact.

Senator MARKEY. Thank you.

Ms. RADELET. And undergirding all this is monitoring the evaluation to make us strong.

Senator MARKEY. Thank you.

Mr. Carroll, I knew you back in the 1990s while you were working on Yucca Mountain—

Mr. CARROLL. Right.

Senator MARKEY. That is a domestic policy issue, in terms of ensuring that we have proper oversight. And now, at USAID, as there

is a deeper and deeper role in Pakistan, in Afghanistan—billions of dollars being spent in those countries. Tell us a little bit, if you can, about how you see the logistical complexity of that, ensuring that the monitoring is well done in countries that provide, actually, historical levels of difficulty, in terms of ensuring that our U.S. money is being spent well.

Mr. CARROLL. Yes, Senator, thank you.

Let me start with Afghanistan. I was just there recently and had some indepth briefings from State Department, both diplomatic security and the embassy transition team, and John Sopko, from SIGAR, has just issued a report listing some concerns about oversight in Afghanistan, both from an agency point of view and from an OIG point of view. And I share those concerns. When the military leaves, at the end of 2014, and their presence is reduced to strictly a training role, there is going to be a tremendous amount of pressure on DS to provide security and safety for the diplomats. Based on what I heard in my briefings there, it is going to be very difficult for the AID development officers to get out into the field to do acceptable monitoring. It is going to be difficult for my staff to get out into the field to do effective oversight. So, I think I have serious concerns about Afghanistan.

That being said, the agency does have, at least in theory, a thoughtful plan for providing oversight in a very restrictive environment, and we are going to begin a process of sort of testing that process as time goes on here between now and the end of 2014.

The same thing is true in Pakistan. There are some regions there, in the tribal regions in Fatah, where it is very difficult to get to. The agency is using third-party monitoring, which is effective, but has its limitations. It is difficult for my staff to get up into those regions, as well. So, as those programs continue, I think we have to be very thoughtful about how we implement those programs.

And then, on a macrolevel, Senator, I would say that Raj's major initiative of USAID Forward, while it does have many benefits, I think it also increases the risk that the agency programs potentially have. And it is important that the agency be thoughtful about the implementation of USAID Forward and we pay close attention, as the IG, on the implementation of USAID Forward.

Senator MARKEY. Thank you, Mr. Carroll, very much.

You know, in visiting Afghanistan and Iraq and meeting with the USAID employees there, it is just—they are just so courageous to—

Mr. CARROLL. Yes.

Senator MARKEY [continuing]. The work that they do. And the same way, Peace Corps Volunteers in many parts of the world. There is no way to really fully thank them for the work that they do. And we thank you for both being willing to take these jobs.

Let me now turn and recognize the gentleman from Wyoming.

Senator BARRASSO. Well, thank you very much, Mr. Chairman. And I appreciate your questioning on Afghanistan, and your frank answers, because that was a great area that I was going to dig into, too. I think it is a great concern for, certainly, people in my home State, and so, I appreciate the questions as well as the answer.

I would like to ask you, Mr. Carroll, about some reforms. You know, all foreign aid programs need to be rigorously evaluated. Most aid programs are not evaluated to determine the actual impact of the assistance. Congress, as well as people, certainly, in my home State of Wyoming, cannot really determine whether taxpayer dollars are being used wisely when it is unclear if it has succeeded or failed.

In October a year ago, the U.S. Agency for International Development's Office of the Inspector General indicated that one of the most significant challenges facing the agency is the ability to demonstrate results through performance management and reporting. So, has USAID implemented reforms to demonstrate results through performance management and reporting? And could you just tell us a little bit about the impact of those reforms?

Mr. CARROLL. I would say that, historically, as you have mentioned, Senator, that has been a weakness of the agency. And part of USAID Forward has been a robust and a more effective—or, an attempt at a more effective monitoring and evaluation system.

What we have found over the years is that it has been difficult for the agency, one, to articulate the kind of metrics—the performance metrics that do link up to larger macro kind of outcomes, and so, they are working on that through their PPL organization.

And then, second, is actually capturing the performance data. That is one of the weaknesses we have seen over time. And it is—I would say, Senator, it is too early to tell about the effectiveness of the reforms. I think they are thoughtfully developed, but I think the jury is out and we are going to have to do some more testing on that to ensure that it is as rigorous as it is being advertised to be.

Senator BARRASSO. And are there any additional reforms that you have in mind that you might want to propose to make sure that the assistance is more effective?

Mr. CARROLL. Well, what we do in our role as the IG is attempt to make recommendations based on the agency's implementation. I would be a little bit uncomfortable making policy kind of recommendations to the agency about how to do things. I think that is their job. My job is to ensure they are doing it effective and efficiency.

Senator BARRASSO. And, along those lines, with—following on that thought, in terms of something like fraud or waste or abuse, the role of providing oversight as well as to detect and prevent those sorts of problems, are there some recurring problems that you have seen in this regard? And what steps can we take, as Congress, to better prevent the problems of fraud or waste or abuse at USAID?

Mr. CARROLL. I would say, Senator, that the current laws and the current authorities that are in place for the agency, with suspension and debarment, and the law enforcement authorities that we have in the OIG, I think they are sufficient, and I think they are effective. I think—it is not necessarily a problem; it is inherent in the agency's programs. They do business in very difficult places, where rule of law is marginal, at best. So, we have seen recurring themes, primarily based on local contractors and individuals from those countries participating in fraudulent activities. Now, that is

not to say that U.S.-based contractors do not do that, as well, because we know that they do, and we have proven that. But, it is a very difficult environment, but I do believe that we have the legal authorities and the wherewithal to detect that fraud and to prosecute that fraud—

Senator BARRASSO. Thank you.

Mr. CARROLL [continuing]. Although, if you could give me one second—IPR creates a dynamic—or, the procurement reforms creates a dynamic where there is a lot of local implementation, where U.S. dollars are going directly to local institutions. And so, the challenge there—and we see this as a positive, not a negative—is working with local law enforcement to ensure that we do have the authority and the wherewithal to execute local prosecutions. And we have had some success in the past in Pakistan and in Afghanistan, working with local law enforcement. So, it is a potential challenge for IPR, but I think it is a challenge that the agency and we can manage.

Senator BARRASSO. Thank you.

Mr. CARROLL. Thank you.

Senator BARRASSO. Turning to the Peace Corps, the Obama administration has set a goal to increase the number of Peace Corps Volunteers—you will be happy to hear this, Senator Wofford—to 11,000 by 2016. So, with consideration of the budgetary environment, what do you believe is the optimal number of Peace Corps Volunteers? And, you know, do you have the current capacity, the placements, the meaningful work projects for these additional Volunteers?

Ms. RADELET. Thank you very much for that question. Sorry. Thank you so much for that question. And we are very much in favor of the Obama administration's goal of 11,000. I would even love to see it higher if I could.

Our reforms that we have put in place over the last 3 years are designed to make our organization strong and effective so that it can achieve some growth. We believe that there is no higher return on investment in foreign assistance and citizen diplomacy than the Peace Corps Volunteer. We have—our cost is very low. For our current budget right now, of only \$356 million, we have over 7,000 Volunteers in 65 countries. And so, I am firmly in favor of expanding the number of Volunteers—in a scaled way. We would want to do it responsibly and gradually, but we are ready for that.

Senator BARRASSO. And, along that line, going from over 7,000 to 11,000 over the next couple of years, are there some specific steps and benchmarks that you might have in mind as to how to do that expansion? You know, you always worry about issues of management. And as we try to do a successful expansion—I do not know what thought you have given to that.

Ms. RADELET. Sure, absolutely. We have created a new strategic plan that has put in place some milestones that we can look toward, in terms of our management of our Volunteers, and especially our support for the health and safety of our Volunteers.

But, our reform effort has actually put those in place. We do have strong monitoring and evaluation programs that do, on a daily basis, evaluate our support for Volunteers. And we also have an all-Volunteer survey which asks the Volunteers, themselves,

about the level of support that we are providing, and offers them the opportunity to provide input into that process. So, I feel confident that we have the infrastructure ready for any kind of growth.

Senator BARRASSO. Because, as we discussed, there were a variety of reforms proposed in the Comprehensive Assessment Report, I think, 3 or 4 years ago. I am just curious how that has come along, in terms of the proposals. And are there additional members of those reforms that still need to be implemented?

Ms. RADELET. Yes, thank you. Our reform is going along as planned. The final bit of our reform effort is the recruitment and communications. We wanted to get our house in order to really strengthen our systems and accountability and our support for Volunteers before taking on additional Volunteers. And so, that is why we have not pushed for growth previously. But, now we are beginning a very dynamic and aggressive recruitment campaign, and we are in the process of developing market research that will guide our communications. We are absolutely committed to having a volunteer force that reflects the diversity of our country, and so, that is a high priority for us. We are ready.

Senator BARRASSO. Thank you.

Thank you, Mr. Chairman.

Senator MARKEY. Thank the gentleman.

The Senator from Virginia.

Senator KAINE. Thank you, to the witnesses and Mr. Chair, Senator Barrasso.

Thank you for the service that you have done and will do. I am going to focus my comments on the Peace Corps. I am a huge fan of this program. My niece just returned from Cameroon, 27 months. And I have had my own experiences—not in the Peace Corps, but in a similar endeavor, that I will direct some questions to you, Ms. Radelet, about.

But, before I do, in case anyone here does not know about this, another Harris Wofford point: The Peace Corps gives a number of awards each year, awards to great Volunteers, awards to alums who do wonderful things through the Peace Corps. There is an award, the Harris Wofford Global Citizen Award, that is a most appropriate and interesting award, that is given every year to someone whose life has been impacted by the Peace Corps in a way that they have gone on to be a wonderful public servant in their own country. And a great idea for an award, and what an honor for it to be named after Harris Wofford.

I had the opportunity recently to meet with Dr. Mohammed Syed, of Kenya, who was influenced by a Peace Corps Volunteer when he was a high school student in Kenya in the late 1960s, and has gone on to have a really tremendous career providing medical services throughout his country. And I had the opportunity to meet both Dr. Syed and the Peace Corps Volunteer who influenced him in my office when Dr. Syed was back to receive the award. But, that is also a real tribute to Harris Wofford, that such an important award would be named in his honor.

Ms. Radelet, I worked as a missionary in Honduras in 1980 and 1981 and had a wonderful opportunity during that time to interact with a lot of Peace Corps Volunteers. And I know Honduras is now

a country that has been closed to Volunteers because of issues with violence there. And I do not question that decision. The violence that my friends continue to experience in Honduras is really horrific. But, I would kind of like to talk to you about the issue of closure. How do you make that decision? How many nations is the Peace Corps currently made decisions to close? And how do you approach the decisions about whether and when to reopen and put Peace Corps Volunteers back?

From the very beginning days of this program, Peace Corps Volunteers have done just remarkable work in Honduras, and Hondurans love this program. And I am just kind of interested in using Honduras as an example to understand the closure decision and how it could be reversed, when appropriate.

Ms. RADELET. Thank you so very much. I am a constituent, so it is a pleasure to have you here. And also want to thank you for your service in Honduras. Peace Corps is so supportive of all Volunteer service, and we partner often with Volunteers from other agencies. So, let me just start with that.

The issue of closure is an important one. It is not an issue that we take lightly, nor is it a decision that we do instantaneously unless there is some sort of major event. And so, if there is a coup or some sort of major political event, then that would—that kind of decision would be taken quickly, and always in consultation with the Department of State and Embassy and the host country.

But, decisions related to entry and exit are decisions that we consider very carefully through our Country Portfolio Review process, which I described earlier as being a data-driven, objective process. And so, Honduras, frankly, has been on our radar for some time. Its safety and security indicators were high. We felt, for a long time, that we could manage it by placing our Volunteers in those parts of the country that are safest. And we have a very, very rigorous and analytical process for placing Volunteers, both across the globe, but even within countries. We can sometimes operate in countries that have high crime statistics by placing them in those areas of the country that are safe and far from crime. And we have been able to do this in other countries in Central America, and actually dramatically reduce the rate of crime against Volunteers. We were able to do that in Guatemala and El Salvador.

But, in Honduras, in looking over the data, the crime statistics, and on the ground with our staff and with the staff of the Embassy, it no longer became tenable for us to support Volunteers there. The crime rates throughout the country were so high, unacceptably high, and it was also difficult to predict when the crime would happen to Volunteers. Much of the crime was transportation related, on buses and what have you. And even on bus routes that had previously been safe, we started to see some violence. And it was that unplannable, you know, sort of random acts of violence that became difficult for us to manage. And our highest, highest priority is the safety and security of our Volunteers. So, we just had to make the decision that we made.

We had extensive conversations with the Ambassador and, indeed, with all of the members of the ministries with which we worked, up to the highest levels of the Honduran Government. We also talked to our NGO partners, but—

Senator Kaine. Just to kind of—in order of magnitude—and I did not ask this in advance; I do not know if you know the specific number—but, how many countries in the world would currently be closed—has the Peace Corps made the decision to close to Peace Corps Volunteers?

Ms. RADELET. In the last 3 years, since I have been here, there have been nine closures, of which four have been closed for security reasons. One is Honduras, and the others are Mauritania, Mali, and Niger.

Senator Kaine. And the reasons for closures, other than security, would be some kind of a political reason?

Ms. RADELET. Or a graduation, their economically development.

Senator Kaine. I see.

Ms. RADELET. Yes. For example, we just left Romania and Bulgaria after 20 years, and that was because they were economically developed, they were capable of continuing on many of the programs that we had developed in the communities, and they were about to—they were entering the European Union. So—

Senator Kaine. And is it the case that, in the past, there have been closures that have been reopened once the problem that led to the closure has, you know, reached some point of solution—acceptable solution?

Ms. RADELET. Absolutely. Especially in West Africa, we have seen countries that we have gone in and out of multiple times. We are committed in working in those places where we can be most effective, but we have to make sure that the political environment is safe.

Senator Kaine. One last question. What is your opinion about whether return Volunteers receive sufficient post-service benefits, whether it be loan forgiveness or career assistance or educational support?

Ms. RADELET. We are so supportive of our return Volunteers, and we would love to see even more benefits than we currently have.

One of the big economic barriers to Peace Corps service is student loan debt. And we currently—our Federal loans are deferred, but we would love to see a deferment of commercial loans. And that is something that we are working toward. So, that is one thing that I would like to put on the table there.

We depend very much on our return Volunteers. And you, yourself, mentioned the Harris Wofford Award. We have leaders from around the world who credit Peace Corps with giving them hope and a headstart. And there are 10 Presidents on the African Continent alone, that have said that there is a Peace Corps Volunteer that put them on the path to Presidency. So, we have so much to thank our return Volunteers for.

We have a new Office of Return Volunteer Services that focuses heavily on supporting return Volunteers as they reenter the job market. And also, we assist them with graduate school applications and what have you.

Senator Kaine. Great. Great. Thank you very much.

Thanks, Mr. Chair.

Senator Markey. Thank—

Senator Wofford. Mr. Chairman, can I say a word on the history that is pertinent to Senator Kaine's comments?

Senator MARKEY. Yes, please, sir.

Senator WOFFORD. That the Director of the Peace Corps is going to do an outstanding job of administering that Congress is able to appropriate in very difficult times. But, let me—when we went off to Ethiopia, 600 Volunteers were sworn in on the White House lawn and sent off by President Kennedy. On the way back in, before I left with 300 of them for Ethiopia, one of the countries that was closed during the war with Eritrea and is functioning again in the Peace Corps, Kennedy turned to me and said, “You know, this will be really serious when it is 100,000 Volunteers a year, and then, in one decade, there would be a million Americans with first-hand experience in Asia, ‘Africor,’” as he would say, “and Latin ‘Americor,’ and then we will have—not only had a contribution of large scale, but we will at last have a large constituency for an informed foreign policy.”

Fast forward. Senator Obama, in his campaign, endorsed the goal—in the Iowa primary in a major speech—he endorsed the goal of President Kennedy’s 100,000, and specifically proposed that the Peace Corps should be doubled, which would bring it to the 15- or 16,000 that we were at when Sargent Shriver left and when I left, in 1966. I think this is something the committee, when it wants to be imaginative as well as stewards of what is now being appropriated, the committee could give some leadership at looking at how, whether with the Peace Corps or with other forms of overseas fellowships on, maybe, shorter terms, something closer to the vision that Kennedy had could be proposed and explored.

Senator MARKEY. Thank you, Senator. And we will do that. That is good advice.

And the impact, which Peace Corps Volunteers have when they come back to the United States. I have a letter here from five Members of the United States Congress who served in the Peace Corps who have written a letter endorsing your confirmation: Sam Farr, from California, John Garamendi, from California, Mike Honda, from California, Tom Petri, from Wisconsin, and Joseph Kennedy, from the State of Massachusetts. So, they have written a letter, which I would ask unanimous consent to include in the record.

Senator MARKEY. And that just shows you, not just this institution, but institutions all over the country are impacted by those returning Peace Corps veterans.

And let me just ask one quick question, if I can, and that is the status of women and their protection, in both of these agencies, from sexual harassment. And if each of you could briefly talk about that issue, which clearly is much greater than anyone had really thought about, up to a couple of years ago.

Ms. Radelet.

Ms. RADELET. Thank you. As a return Peace Corps Volunteer, as a mother, as a woman, and as a sexual assault survivor, myself, there is no other topic that is more important to me or, frankly, that I spend more time on.

I want to start by saying how very grateful I am to the women and men who came forward over the past 2 years to share their stories with us. They have helped us to define our problem and identify solutions for going forward.

I want to say that implementation of the Kate Puzey Peace Corps Volunteer Act of 2011 has brought about nothing short of culture change in our agency. It has lifted our support for Volunteers across the board and has changed the way that we work, as an agency, in a very positive way.

I am delighted to say that, in the past 3 years we have been working on this, with the help of a lot of external experts, and we have crafted a program that is effective, that is compassionate, that is comprehensive, and, most importantly, is Volunteer-centered.

We have a two-pronged approach to addressing the issue of sexual assault. The first is risk reduction. We help Volunteers, through training and counseling and support, to be able to reduce their risks as much as possible, recognizing that responsibility for sexual assault rests solely with the perpetrator. But, there are things that we can do to help Volunteers to identify their environment. The most important thing we do is teach them the language and cross-cultural skills so that they can interpret any situation and be able to plan accordingly.

We also have trained Volunteers to look out for each other, bystander intervention, which is one of the proven interventions that we have learned from our college campuses across the country.

And then we have an effective response, through training of our staff and the creation of an Office of Victim Advocacy.

So, we have made enormous progress over the last 3 years. We have made over 30 policy changes to create an enabling environment, and we have monitoring and evaluation indicators in place to help us to gauge our progress and make course corrections, as needed.

Senator MARKEY. Mr. Carroll, could you talk about USAID and its role in protecting women especially, but men where appropriate?

Mr. CARROLL. I would say, first, that the agency's programs related to development and the protection of—and the mitigation of gender violence is outstanding. You know, they spend a lot of resources on programs related to that.

In addition to that, we are partnering very closely with the agency on a very laser-like focus on combating trafficking in persons. The agency has requirements and legislation, we have requirements and legislation to ensure that the agency's programs and the people and the contractors that the agency work with do not traffic in persons. And so, we play a major role—we, the IG, play a major role in ensuring that that takes place.

I think AID's situation with its employees is a bit different from that of the Peace Corps Volunteers. Well, even though the Peace Corps Volunteers, they are out at the sharp end of the stick in some very difficult circumstances; whereas, my staff and the staff of USAID are more rigorously embedded into the structure of the Embassy, so not quite as at risk as the Peace Corps Volunteers. But, I think that the agency, the State Department, the Peace Corps does a great job in ensuring the protection of its employees, particularly its female employees.

Senator MARKEY. Yes. I thank you. And just want to say, my goal would be to establish a zero-tolerance level.

Mr. CARROLL. Indeed.

Senator MARKEY. Zero tolerance.

Mr. CARROLL. Yes, sir.

Senator MARKEY. This is just something that is unacceptable, and we have to come down very hard wherever we see any people who have volunteered for our country being abused, either by those overseas or by other Americans in those settings. So, we just have to be very tough on them.

Do we have any other questions?

Let me just ask the two of you. We will give you 1 minute—each of you can have 1 minute to summarize to us what it is that you would like us to know about what your goal is, as the head of these very important agencies in our country. We will give you 1 minute apiece to just summarize your vision.

We will begin with you, Mr. Carroll.

Mr. CARROLL. Again, thank you very much for your consideration.

What I would like to do, if confirmed as the inspector general of AID, is, understanding the independence, be a partner of the agency. I think that is—you have all hit on the fact that there are concerns with the difficult environment that AID operates in. And I would like to be a catalyst, on behalf of the taxpayers, on behalf of the Congress, on behalf of AID, as a catalyst for change and for effectiveness. I really believe that the men and women of AID OIG embedded in the field at the sharp end of the stick, if you will, with their colleagues in AID, provide a huge, sort of, value-added to the agency's programs to ensure accountability and to also ensure transparency and to help the American public understand the value and the effectiveness of AID's programs. Now, that is not always the case, and we will go wherever the facts take us, whether it is a good story or a bad story. But, I would truly like to be a force of good and a force of change.

Senator MARKEY. Good. Thank you, Mr. Carroll.

Ms. Radelet.

Ms. RADELET. Thank you so much.

You started by saying how much the world has changed in the last 50 years. The world has become increasingly complex and interconnected. We need Americans who can speak other languages, understand other cultures, can have perspectives that includes other world views and find commonality with our own. We need Americans who can help us develop relationships with people of other countries and help them build positive relationships with the United States, have positive perceptions of Americans, and who want to engage economically with our country and the world.

I cannot think of a better way than through Peace Corps to build relationships with, not only the leaders of our country, but the people of our country. And it is such a privilege to serve in this role, if confirmed.

Thank you.

Senator MARKEY. We thank the both of you. We thank the both of you for your service to our country.

All of your statements, in their entirety, will be included in the record, and we will leave the record open until Friday for all other comments that anyone else would like to make on your nominations.

We thank both of you. We congratulate you for your service to our country.

And we thank you, Senator Wofford, for your great service.

With that, this hearing is adjourned.

[Whereupon, at 11:26 a.m., the hearing was adjourned.]

ADDITIONAL MATERIAL AND QUESTIONS AND ANSWERS
SUBMITTED FOR THE RECORD

LETTER FROM RETURNED PEACE CORPS VOLUNTEER MEMBERS OF CONGRESS IN
SUPPORT OF CAROLYN HESSLER RADELET

CONGRESS OF THE UNITED STATES,
Washington, DC, April 30, 2013.

President BARACK OBAMA,
The White House,
Washington, DC.

DEAR PRESIDENT OBAMA: As Returned Peace Corps Volunteer Members of Congress, we write to request that you nominate Peace Corps Acting Director Carrie Hessler-Radelet to be Peace Corps Director. Ms. Hessler-Radelet brings a powerful depth of expertise and experience that make her supremely qualified for this important role.

Peace Corps leadership calls for an unyielding commitment to serve our country, and Ms. Hessler-Radelet has dedicated much of her life to public service, including as a Peace Corps Volunteer in Western Samoa. Prior to returning to Peace Corps in 2010, Ms. Hessler-Radelet served in a variety of roles, including the establishment of the President's Emergency Plan for AIDS Relief (PEPFAR) and leading authorship of PEPFAR's first strategic plan. She also founded the Special Olympics in The Gambia in 1986, which is still active there, and served as a Johns Hopkins Fellow with USAID in Indonesia.

Today as never before, Peace Corps needs a leader who understands the complexity of our globalized world and Peace Corps' unique role in it. Ms. Hessler-Radelet has lived and worked in over 50 countries, including as a Peace Corps Volunteer, and she has engaged stakeholders on the local and national level on an expanse of complex development issues. She also understands the unique role that Peace Corps plays both in the global community and here at home in America. Ms. Hessler-Radelet returned to Peace Corps in 2010 as Deputy Director, where she set about reforming and streamlining Peace Corps operations to best serve the volunteers and fulfill the mission. Among other undertakings, she spearheaded the first ever comprehensive agency assessment, supported development of office improvement plans, and let the roll-out of a Volunteer training initiative to increase community-capacity development. In addition, Ms. Hessler-Radelet has been instrumental in strengthening Peace Corps' Volunteer health and safety operations; she oversaw implementation of the Kate Puzey Peace Corps Volunteer Protection Act, as well as initiatives to reduce the risk of sexual assault and improve medical, mental and post-service care for victims.

Without question, Ms. Hessler-Radelet's work has advanced both Peace Corps and the United States standing in the global community. Through war and conflict, Peace Corps has shown the world a hopeful, uplifting side of America that reflects our fundamental values of peace, prosperity, and progress. We can think of no finer candidate than Carrie Hessler-Radelet to continue Peace Corps' mission of world peace and friendship in the 21st century, and we respectfully request that you nominate her to serve as Director of the United States Peace Corps.

Sincerely,

SAM FARR, *Member of Congress,*
PEACE CORPS VOLUNTEER, COLOMBIA, 1964–66.
TOM PETRI, *Member of Congress,*
PEACE CORPS VOLUNTEER, SOMALIA, 1966–67.
JOHN GARAMENDI, *Member of Congress,*
PEACE CORPS VOLUNTEER, ETHIOPIA, 1966–68.
JOE KENNEDY, *Member of Congress,*
PEACE CORPS VOLUNTEER, DOMINICAN REPUBLIC, 2004–06.
MICHAEL M. HONDA, *Member of Congress,*
PEACE CORPS VOLUNTEER, EL SALVADOR, 1965–67.

RESPONSES OF CAROLYN HESSLER-RADELET TO QUESTIONS
SUBMITTED BY SENATOR EDWARD J. MARKEY

Question. The 2010 Comprehensive Assessment found that the resource allocation process used by the Peace Corps to decide which countries it serves, and at what levels, could be significantly improved.

- What has or should be done in your view to improve resource allocation in terms of countries served and level of service?

Answer. As a result of the Comprehensive Agency Assessment, the Peace Corps has instituted an objective, data-driven process to guide strategic decisions regarding potential new country entries, phase-outs, and allocations of Volunteers and other resources. Through this process, called Country Portfolio Review, the agency conducts a comprehensive review of active Peace Corps posts based on external and internal data. The agency has completed three annual Country Portfolio Reviews in FY 2011, FY 2012, and FY 2013. The agency is currently conducting its fourth annual review for FY 2014.

Through the completed reviews, the agency has identified opportunities to graduate programs in countries that had reached a higher level of economic and social development than other countries in our overall portfolio. The reviews informed agency decisions to close programs in Bulgaria, Romania, Antigua/Barbuda, Palau, Cape Verde, and St. Kitts/Nevis. The reviews also informed agency decisions to close programs in Honduras, Kazakhstan, Suriname, and Turkmenistan, primarily for reasons related to safety and security or host country commitment. These decisions allow the agency to focus more resources on those areas of the world with greater need and where Volunteers can have the greatest impact. This year, we are in the process of helping our in-country staff to develop the skills and tools needed to undertake a portfolio review process at the country level to enable us to target our resources and Volunteer presence to those areas of each country where need is greatest and the likelihood of impact is highest.

Question. When it comes to personnel and recruitment of Volunteers, I am of the belief that quality and effectiveness should trump sheer quantity. The 2010 Assessment recommended that the Peace Corps consider making significant changes to its existing recruitment model, with an eye to making the process more competitive, reducing application processing time, and providing greater transparency about how Trainees are selected and placed.

- How would you address these recruitment issues if confirmed?

Answer. At the beginning of FY 2013, the Peace Corps launched a new application system which allowed applicants access to a portal to check their application status throughout the process. In FY 2015, the agency will strive to continue to enhance the applicant experience by developing a shortened application and a streamlined application process. The new application process is intended to increase the number of applicants, increase competitiveness and ensure that Peace Corps is the service opportunity of choice for U.S. citizens interested in international service. Moreover, the agency is also revising its assessment processes to assure that the best candidates are selected for available positions.

Peace Corps is moving toward a recruitment model that is more transparent and customer friendly. In addition, the agency is striving to increase diversity of the Volunteers that it sends overseas to more accurately represent the face of America. Investing additional funds to support these proposed changes in the application process and increase diversity of our applicants will allow Peace Corps to better meet the requests of the countries where our Volunteers serve.

Question. Under the current rules granting whistle blower rights and protections to Volunteers, how many Volunteers have taken their complaints to the Peace Corps inspector general and been granted rights and protections under these rules? Have the whistle blowers raised issues that the Peace Corps considers to be legitimate, worthwhile and helpful to the agency? Does the Peace Corps grant whistle blower rights and protections to its staff? If not, do you believe the Peace Corps should grant such rights and protections to its staff?

Answer. We firmly believe that Peace Corps is strongest when every Volunteer and staff member feels safe and comfortable coming forward when they witness a wrongdoing. Over the past 3 years, we have created whistleblower policies and procedures to protect the safety and confidentiality of Volunteers and staff who come forward with allegations of waste, fraud, abuse or other wrongdoing.

Our policies and procedures are designed to ensure the physical safety and confidentiality of all whistleblowers. Retaliation of any kind is expressly forbidden. We have put in place a process for addressing whistleblower complaints, including com-

plaints of retaliation. Peace Corps staff is trained on ways to ensure Volunteer safety and confidentiality, and ensure that allegations are given serious consideration, including referral to the inspector general, if appropriate.

All Volunteers and staff have been trained in this policy, and we have created posters that hang on the walls of every Peace Corps office around the world. The posters highlight our new policy and procedures for reporting and provide the hot-line phone number for the OIG.

Volunteers receive training on how to report cases of misconduct, mismanagement, and violations of law or policy, as well as concerns about the behavior of others who are beyond the legal jurisdiction of the Peace Corps. Volunteers are strongly encouraged to report waste, fraud, abuse, and mismanagement to the inspector general.

Staff members are required to treat Volunteer whistleblower reports with the utmost discretion. The staff member who receives a Volunteer whistleblower report must take appropriate measures to ensure the safety of the Volunteer. If there is any doubt about safety risk, staff must err on the side of caution and ensure the safety of the Volunteer, even if that means removing a Volunteer from her or his community.

All staff receives annual training on these policies, and all Volunteers receive this training before entering service. Each of these trainings provides information about who Volunteers can contact to make an allegation and provides contact info for the IG. Most important is the creation of a culture where all Volunteers and staff feel safe coming forward to report waste, fraud, abuse or any other wrongdoing. That is the culture we seek to develop at the Peace Corps.

Question. Are there steps or policy changes that could be taken to encourage Peace Corps in-country staff to better foster supportive, trusting relationships with Volunteers and encourage greater reporting of safety and security related events and information?

Answer. Earlier this year, Peace Corps launched the final stages of a new Sexual Assault Risk Reduction and Response Program (SARRR), Peace Corps' comprehensive strategy to reducing risks and strengthening its response to Volunteers who have been the victims of sexual assault and other violent crimes. The SARRR Program is critical to the health and safety of our Volunteers and the continued vitality of the Peace Corps. It reflects the agency's commitment to evidence-based best practices in the delivery of services to safeguard Volunteer health, safety, and security, and to help Volunteers who have been sexually assaulted heal and recover with dignity. Implementation of our new SARRR has brought nothing short of culture change to the Peace Corps, as it has lifted our support to Volunteers across the board and changed the way we work together as an agency in a much transparent and collaborative way.

Peace Corps has developed a two-pronged strategic approach to addressing the issue of sexual assault. The first strategy is to help Volunteers reduce their risks through training and skills-building during pre- and in-service training, and through one-on-one counseling; the second part is to ensure that Peace Corps staff responds effectively and compassionately when incidents do occur, through staff training, the creation of an Office of Victim Advocacy, and the appointment of trained sexual assault response liaisons at each post. Most important is the creation of a culture where all Volunteers feel safe and comfortable coming forward to report sexual assault so they can receive the care, support, and services they need and deserve. That is the culture we seek to develop at the Peace Corps.

Comprehensive Sexual Assault Risk Reduction Training Program

We recognize that responsibility for sexual assault lies solely on the shoulders of the perpetrator. Nonetheless, there are ways to help our Volunteers build skills to assess their environment, take appropriate action to reduce their risks and support each other to keep each other safe (bystander intervention). Our Sexual Assault Risk Reduction training program incorporates best practices in the field and applies them to new, proactive training materials for Volunteers and staff, and to new protocols and guidelines for responding to sexual assaults. Volunteers also come to understand that the most important tools in their tool chest are a knowledge of the language and an understanding of the culture.

Even before Peace Corps invitees leave for their country of service, the Peace Corps provides them with a Pre-Departure Online Training for Safety and Security, Personal Security, and Risk Reduction.

During Pre-Service Training, Trainees are given Personal Security and Risk Reduction training, which is specifically designed to provide Trainees with key information and skills to enhance their awareness of potential dangers and take steps

to mitigate their risks. In addition, Peace Corps Trainees also receive gender relations trainings, including country-specific training that addresses local gender norms and patterns of male/female interactions. Finally, Peace Corps Volunteers, during their In-Service Training (which happens after their first 3 months of living and working in their assigned community) receive a cross-cultural gender empowerment and education training.

An Effective and Compassionate Response

In addition to training Volunteers, all Peace Corps staff have received basic training in sexual assault, and all first responders and staff who are responsible for providing sexual assault services have been given specialized training as well as training in victim sensitivity.

Staff at all Peace Corps overseas posts have been trained and must follow the Peace Corps' "Guidelines to Responding to Rape and Sexual Assault," which are agencywide, evidence-based standardized procedures for responding to rape/sexual assault.

Peace Corps has also created a new Office of Victim Advocacy to support Volunteers who have become victims of crime and has trained and placed two Sexual Assault Response Liaisons in each Peace Corps country. We have made more than 30 policy changes to create an enabling environment for an effective sexual assault risk reduction and response program.

Restricted and Standard Reporting of a Sexual Assault

The Peace Corps developed a comprehensive Sexual Assault Policy that provides a Volunteer who has been sexually assaulted the option to make either a restricted report or a standard report of a sexual assault, but the default will be restricted.

Standard reporting provides a Volunteer with the full array of support services and options, including the opportunity to initiate an official investigation, while still maintaining to the extent possible the confidentiality of information about the Volunteer and the sexual assault.

Restricted reporting provides a Volunteer who might not otherwise report a sexual assault under standard reporting with a Volunteer-driven alternative of confidentially reporting the sexual assault and requesting certain specific services, without dissemination of information about the Volunteer or the sexual assault, beyond those who are directly providing the services requested by the Volunteer and without automatically triggering an official investigation.

The Peace Corps believes that this new policy will lead to greater reporting overall, and most likely higher levels of standard reporting, as Volunteers who otherwise would not have come forward, decide to report to Peace Corps.

RESPONSES OF CAROLYN HESSLER RADELET TO QUESTIONS
SUBMITTED BY SENATOR JEANNE SHAHEEN

Question. Unlike most women with federal health care coverage, Peace Corps Volunteers do not have the same access to abortion coverage in the case of rape, incest, or if the woman's life is in danger. If confirmed as Peace Corps Director, what actions will you take to address this inequity?

Answer. Currently, Peace Corps is prohibited from paying for abortions for Volunteers in any circumstance. The agency respects and upholds this law as required.

The President's FY 2014 requested budget language would permit Peace Corps to pay for abortions for Volunteers in cases of rape, incest, or for the life of the mother (if the life of the mother would be endangered if the fetus were carried to term).

This requested change would provide Volunteers the same standard of care as nearly all other federal employees.

Peace Corps supports basic equality and fairness for our Volunteers. The proposed exceptions are standard for most other federal agencies, and also apply to the health insurance federal workers receive.

We believe that our Volunteers deserve the same standard of care as most other federal employees. If confirmed, and if the requested budget language is passed by Congress, I will ensure that Peace Corps Volunteers get the same access to services as other federal employees and members of or military.

Question. The Peace Corps uses tiered definitions of sexual assault; i.e., "aggravated sexual assault" and "sexual assault." Please explain why the Peace Corps does not follow other federal agencies in using a single definition. Does the Peace Corps have any plans to move to a single definition in the future?

Answer. The Peace Corps has one sexual assault category with three, subclassifications (rape, aggravated sexual assault, and sexual assault) that it uses to assist

the agency in monitoring trends, improving the training of Volunteers, and evaluating the impact of our program. The purposes of these classifications are:

- (a) To collect data that will inform applicants, Volunteers, and Trainees on types of incidents affecting Volunteers; and
- (b) To identify trends among the types of crime incidents for purposes of improving and directing Volunteer programs, training, and support systems.

The classifications have been reviewed and found appropriate by the Peace Corps' external Sexual Assault Advisory Council. The tiered breakdown is consistent with most federal and state statutes. The most important thing to know is that our classifications do not define in any way the response or support a sexual assault victim receives. Regardless of the classification, all Volunteer victims of sexual assault receive the same access to services and the same level of compassionate support. Furthermore, the Peace Corps does not train Volunteers on the three classifications. Instead, Volunteers are trained to report any unwanted sexual contact to Peace Corps so that they may receive the proper support services, and only after the report is made does Peace Corps assign a category to the crime for reporting and training purposes only. In the same manner, staff are trained to respond to the needs and ongoing safety of the Volunteer, regardless of the classification.

As part of our process for developing the three classifications, Peace Corps analyzed all incidents of sexual assault and unwanted sexual contact that had been reported to Peace Corps over the past 3 years to ensure that our definitions were broad enough to include all possible incidents. It is important to us that regardless of the type of sexual assault, Volunteers get the support and the services they need and deserve.

It is important to note that there is no consistency across the Federal Government or amongst the states when it comes to the definition of sexual assault. With that in mind, and in an effort to ensure that Peace Corps is providing the most effective and compassionate support possible, the agency created three classifications: rape, which is consistent with the FBI's new definition; aggravated sexual assault; and sexual assault. Peace Corps has taken this broad approach to guarantee that all Volunteer victims of sexual assault or unwanted sexual contact have access to the eight services mandated in the Kate Puzey Act.

Question. According to Peace Corps' 2012 Annual Volunteer Survey Results, crimes of sexual assault committed against volunteers remain a major challenge for the agency, with one in eight Volunteers reporting a sexual assault in 2012—a noticeable jump from previous years. In addition, 50 percent of all sexual assault victims said in 2012 that they did not report their assaults (including rape) to Peace Corps.

- ◆ What specific steps is Peace Corps taking to reduce the incidence of sexual assault among Volunteers and to encourage Volunteers to feel comfortable reporting those incidences to the Peace Corps?

Answer. Earlier this year, Peace Corps launched the final stages of a new Sexual Assault Risk Reduction and Response Program (SARRR), Peace Corps' comprehensive strategy to reducing risks and strengthening its response to Volunteers who have been the victims of sexual assault and other violent crimes. The SARRR Program is critical to the health and safety of our Volunteers and the continued vitality of the Peace Corps. It reflects the agency's commitment to evidence-based best practices in the delivery of services to safeguard Volunteer health, safety and security, and to help Volunteers who have been sexually assaulted heal and recover with dignity. Implementation of our new SARRR has brought nothing short of culture change to the Peace Corps, as it has lifted our support to Volunteers across the board and changed the way we work together as an agency in a much transparent and collaborative way.

Peace Corps has developed a two-pronged strategic approach to addressing the issue of sexual assault. The first strategy is to help Volunteers reduce their risks through training and skills-building during pre- and in-service training, and through one-on-one counseling; the second part is to ensure that Peace Corps staff responds effectively and compassionately when incidents do occur, through staff training, the creation of an Office of Victim Advocacy, and the appointment of trained sexual assault response liaisons at each post. Most important is the creation of a culture where all Volunteers feel safe and comfortable coming forward to report sexual assault so they can receive the care, support, and services they need and deserve. That is the culture we seek to develop at the Peace Corps.

Comprehensive Sexual Assault Risk Reduction Training Program

We recognize that responsibility for sexual assault lies solely on the shoulders of the perpetrator. Nonetheless, there are ways to help our Volunteers build skills to

assess their environment, take appropriate action to reduce their risks, and support each other to keep each other safe (bystander intervention). Our Sexual Assault Risk Reduction training program incorporates best practices in the field and applies them to new, proactive training materials for Volunteers and staff, and to new protocols and guidelines for responding to sexual assaults. Volunteers also come to understand that the most important tools in their tool chest are a knowledge of the language and an understanding of the culture.

Even before Peace Corps invitees leave for their country of service, the Peace Corps provides them with a Pre-Departure Online Training for Safety and Security, Personal Security, and Risk Reduction.

During Pre-Service Training, trainees are given Personal Security and Risk Reduction training, which is specifically designed to provide Trainees with key information and skills to enhance their awareness of potential dangers and take steps to mitigate their risks. In addition, Peace Corps Trainees also receive gender relations trainings, including country-specific training that addresses local gender norms and patterns of male/female interactions. Finally, Peace Corps Volunteers, during their In-Service Training (which happens after their first 3 months of living and working in their assigned community) receive a cross-cultural gender empowerment and education training.

An Effective and Compassionate Response

In addition to training Volunteers, all Peace Corps staff have received basic training in sexual assault, and all first responders and staff who are responsible for providing sexual assault services have been given specialized training as well as training in victim sensitivity.

Staff at all Peace Corps overseas posts have been trained and must follow the Peace Corps' "Guidelines to Responding to Rape and Sexual Assault," which are agencywide, evidence-based standardized procedures for responding to rape/sexual assault.

Peace Corps has also created a new Office of Victim Advocacy to support Volunteers who have become victims of crime and has trained and placed two Sexual Assault Response Liaisons in each Peace Corps Country. We have made more than 30 policy changes to create an enabling environment for an effective sexual assault risk reduction and response program.

Restricted and Standard Reporting of a Sexual Assault

The Peace Corps developed a comprehensive Sexual Assault Policy that provides a Volunteer who has been sexually assaulted the option to make either a restricted report or a standard report of a sexual assault, but the default will be restricted.

Standard reporting provides a Volunteer with the full array of support services and options, including the opportunity to initiate an official investigation, while still maintaining to the extent possible the confidentiality of information about the Volunteer and the sexual assault.

Restricted reporting provides a Volunteer, who might not otherwise report a sexual assault under standard reporting, with a Volunteer-driven alternative of confidentially reporting the sexual assault and requesting certain specific services, without dissemination of information about the Volunteer or the sexual assault, beyond those who are directly providing the services requested by the Volunteer and without automatically triggering an official investigation.

The Peace Corps believes that this new policy will lead to greater reporting overall, and most likely higher levels of standard reporting, as Volunteers who otherwise would not have come forward, decide to report to Peace Corps.

Question. It is my understanding that the Peace Corps assured members of First Response Action (FRA) long ago that a representative of FRA would be appointed to the Sexual Assault Advisory Council. I appreciate the outreach that you personally have made to members of FRA since Congress passed the Kate Puzey Act.

◆ Do you agree that the Peace Corps should appoint a member of FRA to the Sexual Assault Advisory Council?

Answer. The external Sexual Assault Advisory Council is comprised of experienced, committed individuals who reflect the spectrum of disciplines in the fields of sexual violence and victims' rights including:

- Risk reduction: evidence-based concepts used in American and international social marketing and training programs;
- Medical forensics;
- Medical and mental health response with a trauma-informed perspective
- International law enforcement;

- Sexual assault risk reduction and response programs in large, global systems (including team-based approaches to Sexual Assault Response);
- Design and implementation of U.S. and international policies and evidence-based best practices in addressing sexual violence;
- Returned Peace Corps Volunteers survivors of sexual violence; preferably those who have had experience going through the law enforcement judicial system in their country of service; and
- Recently returned Peace Corps Volunteers (within the past 3–5 years) who have held leadership positions (Volunteer Advisory Council, Wardens, Peer Support, Peace Corps Volunteer Leaders).

The Peace Corps strives to appoint members to the Council who have extensive experience in the topic areas above. Members of the Council represent a mix of other U.S. Government agencies, service providers and RPCVs. The agency believes that the Council as it is currently comprised represents the best experts in the field of sexual assault. The members work together well, and their skills and expertise complement each other.

Question. My understanding is that Peace Corps policy currently singles out pregnancy from other medical conditions for disadvantageous treatment, establishing a presumption that a pregnant Volunteer/Trainee cannot continue her Peace Corps service. Peace Corps policy also applies a different standard to mothers and fathers in determining whether a Volunteer/Trainee can continue to serve in the Peace Corps after the birth of a child.

- ◆ Do you commit to ensuring that these policies are revised to comply with Title VII and the Pregnancy Discrimination Act by providing (1) that pregnancy will be evaluated in the same manner as other medical conditions in determining whether a Volunteer/Trainee can continue to serve and (2) that mothers and fathers of newborns will be held to the same standard in determining ability to continue to serve?

Answer. The Peace Corps is currently undertaking a comprehensive review of its pregnancy policy, and the disparate treatment of male and female Volunteers when it comes to pregnancy. As part of its review, the agency is considering treating pregnancy as any other medical condition. The Peace Corps is committed to ensuring that mothers and fathers of newborns will be held to the same standard in determining eligibility to continue service.

RESPONSES OF CAROLYN HESSLER RADELET TO QUESTIONS
SUBMITTED BY SENATOR JOHN BARRASSO

Question. In 2010, a variety of reforms were proposed in the Comprehensive Assessment Report.

- ◆ Please provide a list of reforms that still need to be implemented.

Answer. The 2010 comprehensive agency assessment provided a blueprint for reform outlined through six goals. Following is a description of each goal as it appeared in the Comprehensive Agency Assessment report, as well as a status update on the agency's progress of implementation.

1. *Target our Resources:* Allocate Peace Corps' resources and target country presence according to specific selection criteria to maximize grassroots development impact and to strengthen relationships with the developing world. The portfolio review will drive this strategy.

The first strategy of the 2010 Comprehensive Agency Assessment calls on the Peace Corps to "target our resources" through a transparent, data-driven Country Portfolio Review process that provides the agency with a framework for guiding strategic decisions about the allocation of our resources across countries, including potential new country entries, closures of existing programs, and allocations of Trainees/Volunteers across the Peace Corps world. The Country Portfolio Review process analyzes data in nine categories, including safety and security; access to medical care; host country need; host country commitment, engagement, and participation in Peace Corps activities; potential for Goal 1 (development) impact; potential for Goal 2 (cross-cultural) impact; management of Peace Corps operations in-country; congruence with United States Government development priorities; and cost. The Peace Corps conducted its first country portfolio review 2010 and has completed an annual review since that time, guiding our strategic decisionmaking and resource allocation globally.

2. *Focus on Key Sectors and Train for Excellence:* Maximize the impact of what Volunteers do best by focusing on a limited number of highly effective projects in

our six sectors. Provide world-class training and comprehensive support to prepare Volunteers for success. Measure and evaluate our impact to improve performance and to better serve the communities in which we work. The strategy is known as Focus In/Train Up.

Through Peace Corps' "Focus In/Train Up" initiative, the agency has taken a strategic look at its technical training and program support in each of its six sectors (education, health, agriculture, environment, community economic development, youth development). The goal of Focus In/Train Up is to ensure that Volunteers are well prepared to excel in meaningful work, and that staff have the skills and expertise to support them. Working with our host countries, other U.S. Government agencies and leading development partners, Peace Corps has focused on those project areas that have proven, through evidence, to be most effective at achieving development impact and that are most wanted by our communities.

We have developed standardized Volunteer and staff training and guidance for each sector incorporating best practices. In the past 2 years, the Peace Corps has rolled out 126 Volunteer training sessions, along with dozens of tools to assist staff in implementing effective training throughout the Volunteer lifecycle. We are committed to ensuring that Volunteers are prepared with the tools and skills they need to achieve impact in their community. We have also created basic online training for new field staff. Undergirding all training and program support is a monitoring, reporting, and evaluation system to give Volunteers the skills to monitor their own progress and allow Peace Corps to make course adjustments and evaluate the impact of our collective work.

Periodically, as funding permits, the agency conducts targeted impact evaluations to determine and measure the results and impact of the Volunteers' work. Twenty-four such studies have been completed over the last 4 years. The studies gather information directly from the host country nationals who live and work with the Volunteers and provide critical insight into tangible changes in Volunteers' communities.

3. Recruit to Attract the Best and Brightest of America's Diverse Population: Implement a more streamlined, customer-focused, competitive, state-of-the-art strategy for recruitment, selection, and placement of Volunteers who reflect the rich diversity of America.

The new Peace Corps application system went live on August 15, 2012—a major milestone in the ongoing Volunteer Delivery System (VDS) redesign project. The VDS redesign project was initiated in 2009 to modernize the business processes and technology utilized by the agency to request, recruit, and select Volunteers for Peace Corps service. As a result, the Peace Corps is able to invite candidates electronically, as well as receive responses to the invitations in hours rather than days. The process also allows the agency to communicate with applicants about the medical clearance process rapidly, electronically, and securely.

The implementation of the new application moves the agency from a paper-based process to an automated, electronic application processing system. The new technology will reduce paperwork, improve transparency with applicants, facilitate information exchange between posts and headquarters staff, and improve communication between the Peace Corps and applicants. The medical review and invitation processes have also been improved—reducing medical review costs for the majority of applicants and making it possible to extend invitations to applicants earlier in the process.

The Peace Corps is now working on using the improved application infrastructure to increase the number of Peace Corps applicants per year. The agency seeks to revitalize recruitment and outreach to ensure that every American knows about the Peace Corps and understands the benefits of serving. We will build a robust recruitment and outreach strategy that reaches a wider, broader audience to not only increase the number of Volunteers, but also to field a Volunteer force that reflects the rich diversity of the American people.

4. Innovate to Meet Host Country Needs of Today and Tomorrow: Leverage the skill sets of experienced applicants, RPCVs, and third-year extension Volunteers for special assignments that will expand our presence and technical depth. Through Peace Corps Response, develop an innovative program to incorporate highly skilled Volunteers to meet the needs of host countries.

Peace Corps Response, a program created in 1996, offers short-term, specialized Volunteer assignments that historically were only available to returned Peace Corps Volunteers (RPCVs). Since 1996, Peace Corps Response has recruited and placed nearly 2,000 seasoned professionals to work in more than 50 countries.

On January 30, 2012, Peace Corps announced the expansion of the Peace Corps Response program to allow all Americans with at least 10 years of work experience

and required language skills to apply for positions overseas. In April 2012, the first Volunteer without previous Peace Corps experience left for Jamaica.

In March 2012, Peace Corps, the President's Emergency Plan for AIDS Relief and the Global Health Service Corps launched the Global Health Service Partnership (GHSP). The Peace Corps Response expansion provided this partnership with the perfect platform to recruit experienced physician and nurse educators. These Volunteers will help strengthen the health systems of countries in need and address the critical shortage of qualified health professionals. Approximately 25 of the 32 acceptances received to date are individuals without previous Peace Corps experience. By the end of FY13, Peace Corps Response will deploy over 40 Volunteers without previous Peace Corps experience to at least nine countries.

We believe that Peace Corps Response is an excellent mechanism to get skilled Americans who want to serve into jobs that are critical to the achievement of our country's development and citizen diplomacy goals. Working in close alignment with other U.S. Government agencies, such as USAID and PEPFAR, we will meet the needs of our host countries for highly skilled technical assistance at a fraction of the cost, drawing on the rich base of Americans with skills who are motivated through service.

5. *Elevate Our Third Goal: Engage Volunteers, returned Volunteers, and the American public through strong partnerships with businesses, schools, civil society, and government agencies to increase understanding of other cultures and to generate a commitment to public service and community development.*

The Office of the Third Goal and Returned Volunteer Services develops and implements the agency's career and transition support services to help returned Peace Corps Volunteers transition back to the United States, including regional, national, and online career conferences and events, and job bulletins.

The office also supports the Peace Corps' World Wise Schools (WWS) Program, which helps schoolchildren better understand the people and cultures of other countries. WWS' Web site offers educators and their students free, online curriculum materials and multimedia resources that highlight Volunteer experiences and projects. Peace Corps also manages a program to place returned Peace Corps Volunteers in schools so they can share their Peace Corps experiences through the WWS Speaker's Match program. In FY 2012, more than 585 returned Volunteers visited schools to share their experiences across the United States.

6. *Strengthen Management and Operations: Strengthen management and operations by using updated technology, innovative approaches, and improved business processes that will enable the agency to effectively carry out this new strategic vision.*

Peace Corps is instituting a new performance appraisal program that creates a results-oriented performance culture and provides employees with a better understanding of how their work directly supports the Peace Corps mission and goals; creates specific individual performance goals, and provides an understanding of what each employee needs to do to achieve different levels of performance.

Recently, Peace Corps revised its policy on tour lengths. As an excepted service agency, the Peace Corps Act limits most Peace Corps staff to 5 years of service. With this change, all new Peace Corps staff will be given a full 5-year tour rather than the previous 30-month tours. Our exit surveys show that this will improve recruitment and retention of staff. Additionally, it will reduce paperwork for the Human Resource Management staff.

Finally, after analyzing the structures of the country desk units in each Region, Global Operations implemented a reorganization which addressed issues of efficiency of communication and equity with regard to the responsibilities of the Country Desk Officers (CDO). The reorganization resulted in a standard organizational structure across the Peace Corps, with each CDO assigned to two country posts; improved efficiency of communication with invitees as each CDO was able to focus on two countries rather than an entire subregion; and improved equity as all CDOs worked from the same position description and had equal access to training and staff development opportunities.

Question. The safety and security of our Peace Corps Volunteers is critically important. In 2011, Congress passed the Katie Puzey Peace Corps Volunteer Protection Act. I supported and cosponsored that legislation.

The law requires the Peace Corps to establish an anonymous system for Volunteers who become victims of sexual assault to find services and care. The system cannot automatically trigger an official investigative process or the release of publicly identifying information without the Volunteer's written consent. The law also mandates the inspector general to carry out oversight of this system, including "a review of statistically significant number of cases."

It has come to my attention that there is disagreement between officials at the Peace Corps and the Peace Corps Office of Inspector General regarding access to information. The inspector general needs access to the necessary documents in order to carry out its oversight of the agency and the congressionally mandated review of this new system with the maximum degree of independence, as required by the Inspector General Act.

- ◆ What arrangement have you made with the inspector general to facilitate the transmission of the cases in question as well as any other information the inspector general may request in such a manner that (a) protects personally identifying information but (b) also does not infringe on the independence of the inspector general?

Answer. The Kate Puzey Act mandates that the Peace Corps establish a system, known as restricted reporting, for Volunteers who are victims of sexual assault to confidentially report the crime committed against them and to receive medical, legal, advocacy, safety, and other support services without notifying law enforcement officials.

The Peace Corps' inspector general requested, and the agency agreed to provide, three pieces of information regarding sexual assaults reported under the restricted reporting system: the country where the assault occurred; the type of assault; and the nature of the location of the assault. The agency began providing the inspector general this information on October 31, 2013, and will be continually providing this information on a weekly basis unless other mutually agreed upon arrangements are made. The agency has also agreed to provide other information requested by the IG for the purpose of enabling the IG to carry out her oversight responsibilities under the Kate Puzey Act, including access by OIG investigators and evaluators to the unrestricted portion of the agency's Consolidated Incident Reporting System database.

The Peace Corps is committed to ensuring that the inspector general receives the necessary information to fulfill the monitoring and evaluation requirements of the Kate Puzey Act without disclosing PII of Volunteers who choose restricted reporting. There are currently no outstanding requests from the IG for specific information required by the IG to carry out her responsibilities under the Kate Puzey Act. However, we are in the process of building a case management system which will greatly facilitate future access of information by the IG, while enabling the agency to protect Volunteer personally identifiable information (PII). That system should be implemented well in time for the IG to carry out the case reviews required for the November 2016 report.

Question. If Peace Corps officials use a definition of "personally identifying information" which includes the details of the sexual assault incident, it would likely prevent the inspector general from carrying out the congressionally mandated review of the new system.

- ◆ Will the Peace Corps include this information in its definition of "personally identifying information?" Why or why not?

Answer. The details of a sexual assault reported by a Volunteer to Peace Corps staff under restricted reporting is not "personally identifying information" for purposes of the Kate Puzey Act. Personally identifying information for purposes of the Kate Puzey Act is, in essence, information that could be used to discover the identity or location of the Volunteer. While some details of the sexual assault could be used to discover the identity or location of the Volunteer, this is certainly not the case for all details of the sexual assault.

However, the Kate Puzey Act protects not only the confidentiality of the PII of the Volunteer who made the restricted report, but also the confidentiality of the details of the assault. Under the Kate Puzey Act, restricted reporting is defined as "a system of reporting that allows a Volunteer who is sexually assaulted to confidentially disclose the details of his or her assault to specified individuals . . ." It is clear from this language that the individual to whom a restricted report is made is required to maintain the confidentiality of the details of the assault. While the Kate Puzey Act lists specific circumstances under which PII of the Volunteer may be disclosed to individuals other than those to whom the report is made, there are no such exceptions provided for disclosure of the details of the assault. Therefore, in drafting the policy, we had to make a determination of whether and under what circumstances the details of the assault may be divulged to someone other than the individual to whom the Volunteer reported the sexual assault. For purposes of consistency, we chose in our policy to treat the details of the assault in the same manner as the PII of the Volunteer.

The IG has not yet made a request for specific information to enable her to carry out the required case reviews of sexual assaults that are the subject of restricted reports. The agency's restricted reporting policy only went into effect on September 1, 2013, and the report to Congress that includes a case review of a statistically significant number of cases is not due until November 2016. We are, however, confident that the IG will be able to evaluate the agency's response to particular cases of sexual assault without the agency having to breach the confidentiality of the details of the assault as mandated by the Kate Puzey Act.

**NOMINATIONS HEATHER HIGGINBOTTOM,
SARAH SEWALL, AND RICHARD STENGEL**

THURSDAY, NOVEMBER 7, 2013

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

Hon. Heather A. Higginbottom, of the District of Columbia, to be
Deputy Secretary of State for Management and Resources
Dr. Sarah Sewall, of Massachusetts, to be Under Secretary of State
for Civilian Security, Democracy, and Human Rights
Richard Stengel, of New York, to be Under Secretary of State for
Public Diplomacy

The committee met, pursuant to notice, at 11:03 a.m., in room
SD-419, Dirksen Senate Office Building, Hon. Robert Menendez
(chairman of the committee) presiding.

Present: Senators Menendez, Corker, Rubio, and Johnson.

**OPENING STATEMENT OF HON. ROBERT MENENDEZ,
U.S. SENATOR FROM NEW JERSEY**

The CHAIRMAN. This hearing of the Senate Foreign Relations
Committee will come to order.

Today, we have three nominees before the committee: Heather
Higginbottom to be Deputy Secretary of State for Management and
Resources; Dr. Sarah Sewall as Under Secretary of State for Civil-
ian Security, Democracy and Human Rights; and, Richard Stengel
to be the Under Secretary of State for Public Diplomacy.

One thing these three nominees will have in common, should
they be confirmed, is responsibility, in one way or another, for the
development and implementation of policies that touch on who will
be in a position to represent America and how American values
will be reflected around the world.

Our first panelist is Heather Higginbottom who, if confirmed,
would play a key role with respect to two priorities of mine: deter-
mining who represents the United States abroad and our policies
to protect them. For 20 years I have been pressing the Department
on the issues of diversity and minority recruitment and retention.
In my view, our Foreign Service personnel should mirror the diver-
sity of the Nation. It is our strength as a country and we should
capitalize on it.

Last year the State Department completed a 3-year hiring effort
to increase the workforce. For a department that ranks near the

bottom when it comes to diversity, one would have expected a focus on doing more to diversify the workforce. Instead we saw only some gains by Asian-Americans and African-Americans and virtually no gains for Hispanic-Americans. In fact, their overall numbers decreased in terms of percentage. So, I will look forward to hear your assessment of where we are and what the future holds in terms of recruitment policies.

On embassy security, as Deputy Secretary, you will be responsible for how the Department's security programs and apparatus are integrated with policy-level decisions. And I would like to know how you plan on remaining intimately involved in, and transparent about, security issues around the world. Attacks are against our personnel and facilities are likely to continue as al-Qaeda, its affiliates and other terrorist groups continue to wage a global war against us. The recent military-style suicide attack in Herat against our consulate, although successfully repulsed by diplomatic security and Afghan personnel, is evidence of the resolve and resources of these groups.

These concerns, in additions to your views on how, as Deputy Secretary, you would help steer the State Department through a period in which resources are likely to be scarce and will require careful management are issues that I hope to hear your thoughts on today.

With that, let me turn to our Ranking Member Senator Corker.

**OPENING STATEMENT OF HON. BOB CORKER,
U.S. SENATOR FROM TENNESSEE**

Senator CORKER. Mr. Chairman, thank you for having the hearing.

Ms. Higginbottom, thank you so much for taking the time to come by our office and being willing to serve in this way. I think we would be much better off listening to you than me, and we will do that and have some questions. But thank you for being here.

The CHAIRMAN. Thank you.

With that, your full statement will be included in the record. I will ask you to summarize it in around 5 minutes or so, so we can enter into a dialogue. If you have any family or friends here, we recognize that service is an extended service of family. And we appreciate their willingness and their sacrifices as well. Please be free to introduce them. The floor is yours.

**STATEMENT OF HON. HEATHER A. HIGGINBOTTOM, OF THE
DISTRICT OF COLUMBIA, TO BE DEPUTY SECRETARY OF
STATE FOR MANAGEMENT AND RESOURCES**

Ms. HIGGINBOTTOM. Thank you, Mr. Chairman, Ranking Member Corker, and the distinguished members of this committee.

It is a great privilege to appear before you as the nominee for Deputy Secretary of State for Management and Resources.

I am humbled by the confidence that President Obama and Secretary Kerry have placed in me. And I am honored to be nominated to follow in the footsteps of Jack Lew and Tom Nides, two extraordinary public servants; and to have the opportunity to serve alongside one of our Nation's finest diplomats, Deputy Secretary Bill Burns.

If I may, I will introduce some of my family who are here today: my parents, Ann and George Higginbottom, who inspired in me a desire pursue a career in public service; my brother and sister-in-law, Eric and Stella Higginbottom; and, my husband Danny Sepulveda, who has been my steadfast supporter. We had wanted to bring along our 1-year-old daughter, but thought it best to respect the regular order of this committee and let her watch from home. [Laughter.]

The CHAIRMAN. We are child friendly here.

Ms. HIGGINBOTTOM. I am not sure she would have made it sitting still this long.

As someone who began her career working for then Senator Kerry, I start out with a deep respect for this institution and its prerogatives. I welcome the Congress' shared responsibility for American foreign policy. And, if confirmed, I pledge to work with you to help make both our diplomacy and development more effective, more modern, and more agile.

The only professional path I have ever known has been public service: from my time in the Senate, to my service as Deputy Director of both the White House Office of Management and Budget and the Domestic Policy Council, to my most recent appointment as counselor of the State Department. Over the course of my career I have learned how to get results in government. I have seen that it takes a determined effort to seek out and reward innovation, the willingness to make tough budgetary tradeoffs, the drive to build and inspire a strong, diverse workforce, and open, honest outreach across the interagency and across the aisle.

Those are all the skills and experiences that the President and Secretary Kerry thought were essential in a Deputy Secretary of State for Management and Resources. If confirmed, I will share in the global responsibilities for U.S. foreign policy and have broad management and programmatic oversight responsibilities for both State and USAID. I welcome especially the insight and input of this committee.

I would like to share five areas where I plan to focus, if confirmed.

First, my top priority will be ensuring the safety and security of our people and our posts. President Obama has made it clear that we need our diplomats fully engaged wherever our vital national interests are at stake. That is why, if I am confirmed, I will work to make certain that our processes, our organization, and our culture keep pace with the rapidly evolving threats facing our diplomats and development professionals. And I know Congress shares this commitment to security and I look forward to working with you to make sure that we have both the resources and the tools to deliver on it.

Second, if confirmed, I will work to better prioritize the resources and programs of State and USAID. I will see to it that our limited resources are going where we need them most and being used responsibly and effectively. This is especially important as we continue our efforts to right-size our presence and engagement in key places like Afghanistan and Pakistan.

My third area of focus will be management, reform, and innovation. We must do a better job of aligning our planning budget and

management function with our foreign policy and national security priorities. I will also work to ensure that the remarkable men and women at State and USAID have the training, tools, and skills they need to succeed. If confirmed, I will oversee the second Quadrennial Diplomacy and Development Review, which will identify important policy shifts, areas for innovation and management reforms required to address the challenges that we face today and I the future.

Of course, Secretary Kerry is personally determined to effect lasting change, so I look forward to partnering with this committee and the whole Congress on authorizing legislation for the State Department and USAID.

My fourth area of focus will be better targeting and coordinating our development efforts. These investments are not just the right thing to do, they are the smart thing to do because helping to promote stability and creating opportunities for future trade and shared growth is in America's interest.

Finally, if confirmed, I will build on the great work that has been done to strengthen the State Department's economic impact. As Secretary Kerry has said, "Today, foreign policy is economy policy." If confirmed, I will work to help our embassies and consulates abroad, do even more to fight for American companies and promote foreign investment that leads to jobs and opportunities at home.

Throughout my 20-year career in public service, I have had one overarching objective: to ensure that our government delivers and that we make it work for the American people. Our foreign policy investment, at about 1 percent of the Federal budget, is really national security insurance. It is one of the very best investments that we can make for our country's future. But, I believe we can and must do everything possible to increase the return on that investment. If confirmed, I will work each day to make good on that promise and partner with all of you to make sure our diplomacy and development help contribute to the kind of world we all want to see, one that is more peaceful and more prosperous.

Thank you and I look forward to your questions.

[The prepared statement of Ms. Higginbottom follows:]

PREPARED STATEMENT OF HEATHER A. HIGGINBOTTOM

Thank you, Mr. Chairman, Ranking Member Corker, and distinguished members of this committee.

It is a great privilege to appear before you as the nominee for Deputy Secretary of State for Management & Resources. I am humbled by the confidence that President Obama and Secretary Kerry have placed in me, and I'm honored to be nominated to follow Jack Lew and Tom Nides, two extraordinary public servants, and to have the opportunity to serve alongside one of our finest diplomats, Deputy Secretary Bill Burns.

I would like to introduce my family members, who are here today: My parents, George and Anne Higginbottom, who inspired me to pursue a career in public service; my brother, Eric Higginbottom; and my husband, Danny Sepulveda, who has steadfastly supported me every step of the way.

We wanted our 1-year old daughter, Gisele, to be here as well, but decided it was in the interest of the committee's regular order to let her watch from home.

As someone who began her career working for then-Senator Kerry, I start out with a deep respect for this institution and its prerogatives. I recognize and welcome the Congress' shared responsibility for American foreign policy and, if confirmed, I pledge to work with you to help make both our diplomacy and development more effective, more modern, and more agile.

The only professional path I've ever known has been public service—from my time in the Senate, to my service as Deputy Director of both the White House Office of Management and Budget and the Domestic Policy Council, to my most recent appointment as the Counselor of the Department of State.

Over the course of my career, I have learned how to get results in government. I've seen that it takes a determined effort to seek out and reward innovation; the willingness to make tough budgetary tradeoffs; the drive to build and inspire a strong, diverse workforce; and open, honest outreach across the interagency and across the aisle. I have a track record of finding innovative, data-driven, and cost-effective ways of wisely managing public dollars to achieve a greater good.

Those are all skills and experiences that the President and Secretary Kerry thought were essential in a Deputy Secretary of State for Management & Resources. If confirmed, I will share in the global responsibilities for U.S. foreign policy, and have broad management and programmatic oversight responsibilities for both State and USAID. Partnering with you, I will work to position State and USAID for success in the decades to come.

I welcome especially the insight and input of this committee. I would like to share five areas where I plan to focus, if confirmed.

First, my top priority will be ensuring that our people and posts are safe and secure. President Obama has made it clear that we need our diplomats fully engaged wherever our vital national interests are at stake—from Colombia to Indonesia, and Kenya to Yemen.

That is why, if confirmed, I will work to make certain that our processes, organization, and culture keep pace with the rapidly evolving threats facing our diplomats and development professionals.

State Department and USAID personnel are on the front lines of U.S. national security endeavors and there is constant and inherent risk in what they do every day. We owe it to these public servants to do everything we can to protect them as they promote U.S. interests and values in some of the world's most challenging places. To get this job done, we must complete implementation of the Benghazi Accountability Review Board recommendations; regularly review our presence and posture at all high-threat posts; and annually review the status of any outstanding recommendations made by any Accountability Review Board—not just the one convened for Benghazi. We must also ensure that the State Department works more closely with the Intelligence Community to understand the threats to our personnel and with the Defense Department to ensure that we are coordinating efforts to provide our diplomats overseas with the best protection possible. And, if confirmed, I will work with Congress on embassy security legislation and funding to ensure that we have the authorities and resources needed to keep our people safe.

I know Congress shares this commitment to security and I look forward to working with you to make sure we have the resources and tools to deliver on it.

Second, if confirmed, I will work to better prioritize the resources and programs of State and USAID. I will see to it that our limited resources are going where we need them most and being used responsibly and effectively.

This is especially important as we continue our efforts to right-size our presence and engagement in key places like Afghanistan and Iraq. In particular, I will work to align resources with policy as we carry out the planned transition in Afghanistan.

We have made substantial progress in building an international coalition committed to supporting a stable and sovereign Afghanistan—that will never again be a safe haven for terrorists. Working closely with the Afghan Government and people, we intend to ensure that these gains are maintained. If confirmed, I look forward to working with Ambassador Jim Dobbins and with Congress on this issue.

As the transition progresses, the military continues to draw down, and the Afghan Government takes on full responsibility for providing security for its people, we are pursuing a framework to carry out our basic missions beyond the 2014 security transition: Training, advising, and assisting Afghan forces, and continued limited counterterrorism efforts against al-Qaeda and its affiliates, as well as continuing our diplomatic and consular efforts there. Our diplomatic and development efforts are also lined up with this security mission. Supporting preparations for Afghanistan's 2014 Presidential election is a key priority. A peaceful transfer of power following a credible election will bolster the legitimacy of the government, in addition to sending a message to all parties their interests can be better advanced through political participation than violence. And making sure Afghanistan has the resources and revenue to sustain the gains we have made this past decade will be critical for promoting regional stability.

My third area of focus will be management, reform, and innovation. We must do a better job of aligning our planning, budget, and management functions with our foreign policy and national security priorities.

I will also work to ensure that the remarkable men and women at State and USAID have the training, tools, and skills they need to succeed.

If confirmed, I will oversee the second Quadrennial Diplomacy and Development Review, which will identify important policy shifts, areas for innovation, and management reforms required to address the challenges that we face today and in the future.

Of course, Secretary Kerry is personally determined to affect lasting change, so I look forward to partnering with this committee on authorizing legislation for the Department and USAID.

If confirmed, I will also bring new focus to innovation at the State Department and USAID. Innovation in what we do, as well as the way we work, is critical to deliver on our foreign policy and development priorities. There are tremendous opportunities to improve how we operate and to better use technology—information-sharing and relationship management systems could dramatically increase the productivity of our staff; video-teleconferencing and other technologies could reduce travel costs and improve collaboration. I will also champion the use of technology to improve program transparency, and our monitoring and program evaluation. Data driven decisionmaking, increasing transparency of how we invest resources and ensuring timely, usable data on performance and results will be central elements of this reform agenda. Foreignassistance.gov is an important start, but we can and must do more.

My fourth area of focus will be better targeting and coordinating our development efforts. These investments aren't just the right thing to do—they are also the smart thing to do, because helping to promote stability and creating opportunities for future trade and shared growth is in America's interest.

I will make certain that our key development initiatives like global health and food security deliver results and are sustainable. We must align our business model and investments to have maximum impact. This means investing in economic growth, aligning our workforce with changing needs, and working more closely with a local governments and civil society. We must also ensure that our development agencies are coordinated across government and do a better job of working in partnership with the private sector.

Finally, if confirmed, I will build on the great work that has been done to strengthen the State Department's economic impact. At his own confirmation hearing earlier this year, Secretary Kerry said that today "foreign policy is economic policy." More than ever, our prosperity at home depends on our engagement abroad—opening markets, expanding exports, and attracting foreign investment. If confirmed, I will work to help our embassies and consulates abroad do even more to fight for American companies and promote foreign investment that leads to jobs and opportunity here at home.

Throughout my 20-year career in public service, I have had one overarching objective: to ensure that our government delivers and that we make it work for the American people.

Our foreign policy investment—at about 1 percent of the federal budget—as others have said is really "national security insurance." It's one of the very best investments we can make for our country's future. But, I believe we can—and we must—do everything possible to increase the return on that investment.

If confirmed, I will work each day to make good on that promise, and partner with all of you to make sure our diplomacy and development help contribute to the kind of world we all want to see, one that really is more peaceful and more prosperous.

Thank you, and I look forward to your questions.

The CHAIRMAN. Well, thank you for your statement.

Let me start off with a few questions. I appreciate the priorities that you listed. I think they are appropriate. But, let me start off with the embassy and diplomatic security, which has been a concern of mine since our experiences in Libya and continues to be a concern with high-risk, high-threat posts throughout the world.

So, the 1999 Booz Allen and Hamilton Report, which is a byproduct of the 1999 ARB Report in the wake of the bombings in Nairobi and Dar es Salaam, recommended that diplomatic security be removed from the longstanding Under Secretary for Management reporting structure and place diplomatic security either in a separate Under Secretary along with the Bureau of Counterterrorism and

the Bureau of International Narcotics and Law Enforcement or report directly to the Secretary of State.

The recent Best Practices Panel, consisting of five distinguished security and law enforcement officials, recommended the creation of an Under Secretary for Diplomatic Security. Underscoring, “the Department’s present direction of expeditionary diplomacy operating with an increased number of temporary and permanent posts in complex, high-risk environments requires an organizational paradigm change with an Under Secretary for Diplomatic Security as the linchpin necessary to safely enable the Department’s mission,” that was their quote.

So, my question is—there are those who may agree with that, there are those who may have a different view. But, heightening the importance of our people abroad, as they take the risks that inevitably they will, but minimizing those risks is incredibly important to me. Have you met or do you intend to meet with the members of the Best Practices Panel? And have you had an opportunity to review their recommendations? And, if so, what is your views on their recommendations?

Ms. HIGGINBOTTOM. Thank you, Senator, very much.

As you know, I have had the opportunity to be at the Department now for the past several months and can say that everyone is united in the effort to ensure that the tragic attack that occurred in Benghazi will never happen again. It is the top priority for me, if I am confirmed. And I have reviewed the Best Practices Panel and the other independent reviews, obviously the ARB and the Inspector General Report and are taking all of those recommendations very seriously.

As it relates specifically to the recommendation for an Under Secretary: I think, first, it is important that the Deputy Secretary Office establish the appropriate processes and accountability mechanisms, as one of the two top officials reporting to the Secretary at the Department. And I intend to do that. One of the objectives I will have, if confirmed, is to look beyond—certainly work to implement the remaining ARB recommendations, but look beyond the Benghazi ARB at our processes, our organization, our culture. Look at all of the recommendations that have been made in the wake of Benghazi and figure out how we are best organized to mitigate the threat and the risks to our people and places around the world.

I have not yet met with the Best Practices Panel. I look forward to doing that, if I am confirmed. I have had the opportunity to look across the spectrum of recommendations and also look at some of the recommendations from previous ARBs, which I know has been pointed to, in the wake of Benghazi. And I think we need to have an annual report where we get progress each year that would come to me to say where are we on this and where are we, not just on the ARB recommendations as it relates to Benghazi, but for all of them. So this is something I will take very, very seriously.

The CHAIRMAN. How do we ensure, structurally within the State Department, that there is a clear line of communication and authority and responsibility? Because my sense is that that was lacking before, the sense of it. And so that, when someone at one of our missions abroad or embassies abroad feels that there are concerns and we look at intelligence a different way, not just a specific

threat, but the nature of the environment of all threats to make a calculus as to what we should be doing. How are we going to ensure that there is a structural line that goes directly to the Secretary, if necessary, in order to get action?

Ms. HIGGINBOTTOM. Thank you. It is a very good question.

First, I would just say that our nominee to be the Assistant Secretary for Diplomatic Security—Acting Secretary Greg Star has said on many occasions, I know I can pick up the phone and talk to the Secretary whenever I need to. And I think that is important, whatever our structure is that if there is a real concern that he or someone else in that position has—they have that direct line.

I think one of the most important recommendations from the ARB and that we have to execute on is to establish a process that—particularly when we have a national security or a national interest to be in a particular place and we have a difficult threat environment, that we are bringing those together in a regular process that feeds up the chain so that we are not just having one side or the other decide what the answer is. And that process is being developed right now. That is something that I would be engaged in and I think, you know, and those very difficult calls need to go to the Secretary and be discussed and made—make a call in that way.

The CHAIRMAN. Let me turn to the question of diversity at the State Department, something you and I spoke about. You know, it is pretty alarming to me to see the largest, fastest-growing part of America's population, what is the next America, you know, dismally represented at the State Department. Not just as a question of participation, but as a question of promoting American values abroad, as is evidenced by who we are as a Nation. When I was in China recently, it was great to have met with dissidents and attorneys struggling to represent human rights activists and others. And our person in charge of that there was an African-American, incredibly qualified but also created a whole historical perspective of a struggle for civil rights. It was a powerful message.

I think about the realities that the State Department has one of the most dismal records of having Hispanic representation in it. And I think there are arbitrary and very subjective measures by which it impedes the opportunity for Hispanic-Americans to participate. So, where the State Department recruits—I mean, the Fletcher School is a great school. I do not argue with that. But, that is not going to get the most diverse population, you know by way of example.

And the question of oral capacity is incredibly subjective. And I have met some great people from the State Department who clearly have the powerful ability to communicate orally and I have met some people who may not quite reach that standard. Yet, Hispanics seem to consistently get filtered out in that respect.

So, I would like to hear from you because this comes from the top. We are never going to achieve progress if, from the very top, there is not a comment and a position in which measurement for reviews of people below. I know we have a whole host of promotions that are pending before the committee. You know, part of that has to be that management gets the message that creating the ability to have people enter into the Foreign Service that is more

diverse is a measure of judgment as to how well they are performing. If not, it will never move forward.

So, I would like to hear what you would do, if you were approved by the Senate, both as to recruiting a more diverse workforce in the Foreign Service; as well as how would you go about to ensure—for example, would you support a fellows program similar to successful Pickering and Rangel fellowships? And would you meet with the—in a consistent basis with the new Director General that is before the committee, for the Foreign Service, which I hope at some point we will confirm this year, as all efforts of creating a process that would change this reality at the State Department?

Ms. HIGGINBOTTOM. Thank you, Mr. Chairman.

I appreciate the opportunity that we had to discuss this issue prior to this hearing. And, as I said to you then, I appreciate that you have a focus on this and that you are holding us accountable. I do not think anyone would agree that we are in the place that we want to be on this. It is a particular passion and commitment of mine that I will bring into the position, if confirmed. And I know that Secretary Kerry cares deeply about this as well.

You mentioned the nominee for the Director General, Ambassador Chacon. I have spoken to him about this and we have begun to share ideas about how to really take this on in a more systematic way, but also think creatively about ways to expand our ability to recruit at different institutions of higher education, thinking about how to reach students when they are younger, before they get to college with some thinking about what a career in the Foreign Service would be. And there are a lot of best practices from the private sector I think we can try to bring into our efforts.

But, I think it does have to be a priority at the highest levels. We do have to do more to create an environment, once people enter the Foreign Service or the civil service, at the State Department that is supportive and meets their needs and interests. And I think there is a lot of work we can do.

Linda Thomas-Greenfield, who was the Director General until she was nominated to be the Assistant Secretary recently, did a lot of good work on this and has really established, I think, some very good programs within the Department. But, I really do believe there is more we can do. I look forward to working with you on it. And I think it is really important that we have a dialogue about this. I think there is a lot of opportunity for us to really build on what the foundation is that we have now. The fellowship programs are one tool, but I think there are a lot of different tools we can avail ourselves of.

The CHAIRMAN. Senator Corker.

Senator CORKER. Thank you, Mr. Chairman.

And thank you again for being here and your willingness to serve in this capacity. And appreciate you having family members here. I will say, usually when people bring their children, they get dealt with in a much easier way. But I think—

[Laughter.]

Senator CORKER. I do not think that is going to be an issue with you today anyway.

We talked a little bit in our office about the fact that you have certainly done some very, very distinguished—contributed in a very

good way in the public arena. And, you know, one of the questions, I guess, people have had is with your years of experience, if you will, coming in the State Department. It is a place where change happens very, very slowly, if at all. That many of the bureaucrats there, as you and I both know, when someone like you comes in they say, "Well, you know, Heather will be here for 3 or 4 years and we can wait her out."

How do you expect to overcome the culture that you know and I know and everybody at this dais knows exists within the State Department to really put in place some of the reforms and changes that you would like to see put in place?

Ms. HIGGINBOTTOM. Thank you very much, Senator Corker.

I think it is really important to be clear-eyed about what the challenges are. And I have a lot of enthusiasm and commitment to the opportunities that we have at the Department, if I am confirmed into this role. But, that is not enough. And I need to bring into it my experiences as well as the support of the senior leadership, and that starts with the Secretary.

So, if I were confirmed, I would sit down right away with the Secretary, with Deputy Secretary Burns, with our Under Secretaries and say, "This is where I think we need to go, this is what I need from you to enable us to get there, and this is how we are going to be held accountable." I have managed an agency, I have been in government, I have worked across the interagency, and I am familiar with what you referred to as this sort of, you know, "We'll be here a long time and you'll only be here a short time." And I have worked through that. When I was at OMB, I was part of a leadership team with, you know, 500 staff and about 40 political staff, and I was the COO of that agency. And I was there at a time of very low morale that we turned around. And I understand how to breakdown some of those barriers.

But, I do think it really requires the commitment from the senior leadership. And I have had conversations with the Secretary, of course, as well as senior leaders at the Department and they believe in the opportunities to really bring our diplomacy into the 21st century and avail ourselves of innovations and make some of the reforms that are necessary. So, I am confident about it. But, I recognize it is a challenge and I am eager to take it on, if I am confirmed.

Senator CORKER. One of the things we talked about that would be helpful, and I think you agreed and you mentioned, I think, briefly in your written testimony, we have not had a State Department authorization since 2003, which is beyond belief. In other words, the United States Senate has not taken the time to do an authorization of the many programs and activities that are taking place within the State Department for 10 years; a decade.

We mentioned that—we discussed that, you know, that would actually be something that would be a tremendous asset to you. That, if the Senate so chose to take the time and do the diligence and do the work that we were hired to do relative to the State Department, that that would be an asset to you in putting in place many of the reforms and changes that you would like to see take place. And I wondered if you might respond to that.

Ms. HIGGINBOTTOM. It is my pleasure. Thank you, Senator.

I worked in this body. I am a believer in regular order. I think there is real value to be gained from a regular authorization process, a regular appropriations process something that drives our consultation that allows us to update our authorities. I know this committee and, under the leadership of the chairman and yourself, there has been a very important discussion around embassy security. There is an effort right now to update our PEPFAR authorizations. These are really important dialogues for us to have. And a regular State authorization bill would provide that. I am fully supportive of it and would look forward to working with you on it.

Senator CORKER. Thank you.

And I agree with you, we may have an opportunity to have the PEPFAR piece done. And I know the chairman and myself and many members of the committee worked together on the embassy piece. But an overall look would certainly be helpful too. And I thank you for those comments.

I know that the issue in Libya, and I know the chairman spoke to it also, has in some ways become a political football. At the same time there is a lot of substance there too. And one of the things that has been pretty shocking to me—I was in country right after, you know what happened, just a few weeks later. And sat down with our team there and have since talked to a lot of folks.

And I think it has been pretty shocking that, when you read the cables and you see everything that happened during that time, there just has not been any real accountability. I mean, four Americans were killed and, to my knowledge, not a single person at the State Department has even been reprimanded. So, that is odd to me. Very different than what happens in military operations, very different than happens in companies all across our country.

And I wonder if you might speak to some of the same issues that, I know the chairman raised, just about accountability. And is there a way for you to change that culture where, you know, the bar for your job or your employment is set at such a level that, you know, whether you perform or do not perform it just does not matter?

Ms. HIGGINBOTTOM. Thank you, Senator.

I know this is an issue that you have been very focused on and I appreciate that it is a difficult set of circumstances. As you know, Secretary Kerry, not long after he came into office, initiated a review of the performance of the four individuals who were identified by the Accountability Review Board; reviewed their performance, both as it related to Benghazi, but also their overall performance at the Department; and concluded that all should be reassigned from the positions that they held into positions of lesser responsibility. None of them have responsibility for worldwide security today. I think that was appropriate.

I understand also that the ARB made a recommendation that they would, in future—like their statute changed and future ARBs be able to make recommendations about discipline when there are management failures or weaknesses. And I think that is important. I think the Department is updating its Foreign Affairs manual to guide that. And we have worked, obviously, with this committee to try to get that ARB provision changed as well. Those are important steps. But, I think we have to set up processes that make clear where decisionmaking lies and who is accountable. I hope that, in

the wake of the incident in Benghazi, with all of the review of our processes and procedures that are taking place and all the reforms that we are really getting at that issue.

And when I say, as I did in response to the chairman, that I will look at the processes, the organization, the culture, that is part of what I am talking about. We need to really step back and understand how decisions are made and who is accountable. So, I am committed to that and look forward to engaging with you on it.

Senator CORKER. Well, I know one of the things that you are going to be highly involved in is helping establish the balance between engagement and security. And, you know, it is obviously that particular incident highlighted that, I think, more than any that we have seen. And I look forward to your work in that regard. I do look forward to working closely with you.

And, on the issue of the ARB, it seems like to me that is something that we ought to be able to resolve really, really quickly and easily. So, I do look forward to talking with you a little bit more.

But thank you for your desire to do this. We look forward to you doing really good things at the State Department. And I am glad you are willing to do this.

Ms. HIGGINBOTTOM. Thank you.

The CHAIRMAN. Thank you, Senator Corker.

Before I turn to Senator Rubio, I would just say I appreciate the ranking member's desire to have a State authorization. And there isn't anybody who would want to see that more than the chair. And I hope that maybe we can get there. But, what we will need from members of the committee is a commitment to an authorization that is not a Christmas tree of seeking to have their foreign policy views inserted as to the policy of the State Department.

If we want broad, thematic approaches for the State Department, in terms of how its structure might be and what we ultimately would want to authorize, in terms of its resources and its missions, those are great and I totally support that. But, the reason that we have not had a State Department authorization in nearly a decade is because it became the vehicle for members to try to pursue their individual foreign policy desires in different parts of the world and it went far afield from an authorization. And, if we can get there, I would love to be able to do that.

Senator CORKER. If I could respond, since there is editorial comments being given.

I can tell you there are none of the folks on this side of the dais that even were here in 2003. So, I think we ought to give it a try. So, thank you very much.

The CHAIRMAN. Well, the good news is I was not here in 2003 either so—

[Laughter.]

The CHAIRMAN [continuing]. Senator Rubio.

Senator RUBIO. So, I am going to make a statement and I think your answer is going to be yes, but—because it leads to my next question. Do you agree that our foreign assistance should reflect two things: No. 1, is our interests, first and foremost, but also our values?

Ms. HIGGINBOTTOM. Yes, Senator.

Senator RUBIO. How do we tie both, our interests and our values in our foreign assistance programs?

Ms. HIGGINBOTTOM. Thank you, Senator, for raising that question.

It is a balance that we have to strike. We must ensure that our assistance is directed to those places where we have a national security or a vital national interest. And then we need to assess, when we have concerns about a particular activities or statements of a country, what we are doing with our assistance. Are we directing it to civil society groups? Are we promoting democracy? You know, what are we really doing with that? And I think that is an important tenet and principle that we need to work through.

Senator RUBIO. You mentioned it as a balance. I would argue, and you probably would agree too, that oftentimes they are actually not mutually exclusive that, in essence, oftentimes our interests are our values. Whether it is the issues of modern-day slavery or religious liberties or any other human rights causes.

Do we have or do you have an example that we can look at and say this is a place where we have found the right balance; where we have been able to use foreign assistance and foreign assistance programs and engagement as an opportunity to, in essence, do both to further our interests and our values simultaneously?

Ms. HIGGINBOTTOM. Senator, you are right. They are certainly not mutually exclusive. And I think that there are many places around the world where we have been able to utilize our assistance to promote our values and address issues that we have concerns about. I would be happy to follow up with you and go through some of those.

[An additional written response for the record follows:]

We owe it to the American people to use their resources wisely and that means using foreign assistance in ways targeted to advancing our national interests, while honoring our values. At times there are perceived tensions regarding how the United States can pursue both short-term gains and long-term interests simultaneously. But, in fact, as we have pursued engagement on economic, security, and other issues, with governments around the world, we have pressed the same governments bilaterally and in multilateral fora to protect religious freedom and other human rights and to combat trafficking. In parallel with these efforts to change government policy and practice, we have directly aided civil society groups promoting those rights and our values.

For example, as I understand it, the State Department since 2009, has been supporting the Alliance of Iraqi Minorities, a network of 62 Iraqi individuals and organizations that work to protect Iraq's minorities and promote their inclusion in the political process. By working directly on community development projects throughout the country, in the communities from which they originate, Alliance members reinforce and uphold the status of Iraq's diverse ethnic and religious minorities as members of Iraqi society. At the same time, the United States continues its support for the Minority Parliamentary Caucus, which convenes minority members of the Council of Representatives (COR) who work with their civil society partners to represent and advocate for minority issues within the Iraqi Government.

The State Department also implements a program that combats discrimination and religious intolerance, while protecting the freedoms of religion and expression in various countries in all regions of the world. The program assists governments in training local officials on cultural awareness regarding religious minorities and on enforcing nondiscrimination laws. The training, shaped by the needs of the host country, includes topics such as legislative reform; best practice models; prosecuting violent crimes motivated by religious hatred; metrics; and discrimination in employment, housing and other areas.

Ms. HIGGINBOTTOM. It is important that we understand what we are trying to achieve with our assistance and what outcomes we

are looking for. And I think that is an important thing to bring into the equation.

Senator RUBIO. Now, I also wanted to point out I introduced a bill along with Senator Cardin and Representatives Poe and Connelly in the House. It is Senate Bill 1271. What it is designed to do is to improve monitoring and evaluation of U.S. foreign assistance programs, including security sector assistance. So, I do not know if you are familiar with it or not. But I would encourage you to look at it and see how we can gain some traction on that idea because we live in a time where everybody wants to balance the budget. But the only thing they are in favor of doing is cutting foreign aid. Which, of course, you cannot balance our budget by doing that. It is just not enough money and, quite frankly, would be counterproductive.

So I do think we have to increasingly be able to justify to the American people why, at a time when we have such extraordinary challenges domestically, we are still engaged globally. And part of being able to make that argument is having programs that have clear measurable results, clear goals. Obviously, any instances where that money's being misspent or unwisely spent undermine that argument.

So, this is a real challenge that we face moving forward. And I think it is critically important and I would urge you and others to get behind the idea that we need to do that as, not just the right thing to do in terms of responsible stewards of the public tax dollar, but also as a way to ensure the long-term viability of our international engagement.

I would also note that unfortunately, over the last 10 years, so much of our foreign policy has been viewed in the lens of military engagement as if that is the only tool in our toolbox. When, in fact, our most powerful tool is proactively engaging around the world with assistance programs that further our values and our interests and prevent these situations from arising and helping our allies transition to more sustainable pathways.

My last question is, in January of this year, the State Department's International Security Advisory Board recommended, "Implement a comprehensive monitoring and evaluation process for its security capacity-building programs, measuring effectiveness against defined goals in terms of basic national objectives, not just value for money or inputs provided. In April, the President issued a policy directive pledging to inform policy with rigorous analysis assessments and evaluations." Can you provide to us any sort of explanation about what measures have been taken thus far to implement rigorous analysis assessment, et cetera, as it relates to security sector assistance?

Ms. HIGGINBOTTOM. Senator, thank you very much for raising this issues.

I have a great deal of interest in enhancing the capacity of the Department to use our analysis and evaluations to inform our budgeting, to inform our policy. I would really like to work with you on the legislation that you have introduced, if I am confirmed. When I was working at the Office of Management and Budget, I was working as part of a team to ensure we were doing more data and analysis across the entire Federal Government to inform our

budgeting. And I think it is a very important tenet of the work that we can do together.

It is also, as you point out, incredibly important in justifying the investment. One percent of the Federal budget is in our Foreign Affairs space. Secretary Kerry believes that we need to make the case for this investment. And I think these tools are important for us to do it. It is also important for us to understand what programs are not working and why. So, I am very supportive of that.

I would be happy to follow up with you, Senator, on the specific question you have raised about the security assistance programs. I think that there have been some good steps taken, but we can follow up with some more detail on that.

Senator RUBIO. And I actually did have one more, and I think it will save us some paper here. The 2010 Quadrennial Diplomacy and Development Review process acknowledged that the State Department has a shortage of key skills necessary for modern-day diplomacy. If you could just briefly describe what that gap is and what steps we can take to develop the professional skills of our Foreign Service officers?

Ms. HIGGINBOTTOM. Thank you.

I think that there are a set of skills that we really need to hone in on to align what our policy objectives are today with the skills and training that our Foreign Service officers get. I mentioned in my testimony, our economic impact or economic diplomacy. We do not necessarily, right now, train our economic officers in the Foreign Service, in how to engage with U.S. business and with the folks that they deal with overseas at their posts about how to make those connections. That is clearly an area that we need to do more and better in. There is also some discussion around our language training and some skills like that.

But, I would like to—and I have talked with the Secretary about this—really evaluate where our gaps are in training and look for ways to fill those. And I think that one of the most obvious places to begin that is with the economic development work.

Senator RUBIO. Thank you.

Ms. HIGGINBOTTOM. Thank you.

The CHAIRMAN. Thank you.

Senator Johnson.

Senator JOHNSON. Thank you, Mr. Chairman and Ms. Higginbottom.

I would like to welcome you and your family here. And also say that I appreciate your willingness to serve. I also appreciate that your top priority will be ensuring that our people and posts are safe and secure.

I come from a manufacturing background. So, it is just sort of in my DNA a process of continuous improvement. And I really think the vital step in any kind continuous-improvement process really is taking a look at what went wrong and try and get the root cause of it and truly evaluating that. So, we have to learn lessons from the past.

So, with that in mind, I guess I would just kind of like to ask, you know, how much have you delved into what happened in Benghazi? I mean, which of the reports that have been issued have you read? Let us start there.

Ms. HIGGINBOTTOM. Sure, Senator, thank you.

I have certainly read the ARB, the unclassified and the classified version. I have read the State Department's Inspector General Report. I have read the Best Practices Report. I have read the Management Review that was recommended by the ARB. And one other I cannot think of right now. But, I have reviewed most of the major reports that have come out about the incidents in Benghazi and the response to it.

Senator JOHNSON. I know the Committee on Homeland Security issued a report with Senators Lieberman and Collins. Did you read that one?

Ms. HIGGINBOTTOM. I have not read that one.

Senator JOHNSON. OK. And then, I know there are five committees in the House that also issued a report. Have you reviewed that?

Ms. HIGGINBOTTOM. I have.

Senator JOHNSON. Have you also received other secure briefings on Benghazi?

Ms. HIGGINBOTTOM. I have not received secure briefings on the events of Benghazi. I have, obviously, been engaged in conversation around implementation of the recommendations from ARB and the other reports.

Senator JOHNSON. OK. So, again, you are pretty thoroughly briefed in terms of what happened. So, I just kind of want you to put into your own words, what went wrong there? What was the breakdown?

Ms. HIGGINBOTTOM. Senator, I think it is clear that there—the security was insufficient to deal with the attack that occurred. That there were insufficient—the use of fire as a weapon and other tactics that were used overwhelmed the Regional Security officers and officials who were there. And that it was a breakdown in security.

Senator JOHNSON. Well, why was the security insufficient? I mean, what was the breakdown in the State Department, because there were cables going back and forth? The deterioration in the security situation seemed to be pretty well known. And there are actually verbal requests basically denied. You know, people within the State Department said, do not ask for additional security. I mean, what went wrong within the State Department?

Ms. HIGGINBOTTOM. Senator, the Accountability Review Board, when looking at this, I think, found that the requests that came up the line for security measures and personnel in Benghazi were largely granted. But, there was clearly a problem and it was insufficient. And, Senator, I am committed to ensuring that going forward we have the right processes in place—

Senator JOHNSON. Let me just stop you. Are you saying that you really believe that the requests for security were granted by the State Department? Is that your understanding of it?

Ms. HIGGINBOTTOM. Senator, many of the requests for security that were granted were—I am not an expert on every cable that was written. I am being nominated for a position moving forward looking at security. I am looking at how we will continue the implementation of the ARB recommendations and the other reports that are out there to ensure this does not happen again. I am not an

expert on everything that happened in the Department before I got there.

Senator JOHNSON. OK. Well, if your top priority is going to be to ensure that our people and posts are safe, I think you need to fully understand what went wrong in the State Department. Because those security requests were not granted. They were denied. And not only was security not beefed up, security was ramped down. I think that you need a very thorough understanding. Quite honestly, the American people need a more thorough understanding of what is happening. Which leads me to my next point.

Assuming—for my constituents, they continue to demand to know what happened. I am, as a United States Senator, incredibly frustrated that we have been denied access to the survivors to get the information. Do you believe, as the United States Senate, at this point in time—what is it, 14 months after the attack, do you believe the Senate should be briefed by the survivors of the Benghazi attack?

Ms. HIGGINBOTTOM. Senator, I know that there are ongoing discussions right now with Congress about access to the survivors. The Department of Justice has raised concerns about their testimony and their briefing of Congress as it would relate to prosecution of the criminals in this case. The State Department has raised some concerns about the security of our professional security officers. And I am confident an accommodation can be reached. But I think there are legitimate questions that are being worked through now.

Senator JOHNSON. Do you think 14 months is a little bit long in terms of gaining access to those survivors?

Ms. HIGGINBOTTOM. Senator, there has been an enormous amount of accommodation and coordination between the State Department and Congress. Secretary Kerry said before this committee and others he was committed to working with you to answer any legitimate questions, respecting the oversight responsibility. I feel the same way. I look forward to working with you going forward. And I am confident, in the case of the survivors, that we can work through an accommodation here.

Senator JOHNSON. So, obviously, that is a balancing act. Prosecuting individuals that we do not seem particularly interested in picking up or identifying or finding versus the American people's right to know and Congress' oversight responsibilities. Can you just kind of give me your evaluation of the balance between those two?

Ms. HIGGINBOTTOM. Senator, I think that the Congress' oversight responsibilities are important. I worked in this body for a long time. I respect its prerogatives. I think that the Department has worked very hard to provide 25,000 documents, many hearings, lots of briefings. That cooperation will continue. Obviously, we have to take into consideration, when we are having a discussion about accommodation, what the impact could be on the prosecution of the criminals who perpetrated this terrible crime. We have to think about the safety of our officers at the State Department. But, I do not think that those things mean we cannot come to some agreement or work together on this issue.

Senator JOHNSON. Now, I am not a lawyer, I am not a prosecutor, I am not assuming you are a prosecutor either.

Ms. HIGGINBOTTOM. No, sir.

Senator JOHNSON. How would Members of Congress, maybe even a secured briefing, getting information and being able to interview survivors, how could that possibly effect some future prosecution where we might have these perpetrators on video tape and we know exactly what they did? How is that going to harm a prosecution?

Ms. HIGGINBOTTOM. Senator, I do not want to speak for the Justice Department. But, in the communications that they have had with Congress they have indicated that, should the identities become known, it would be possible for the defense to do research on them, that their safety and security—

Senator JOHNSON. So that—

Ms. HIGGINBOTTOM [continuing]. Could be at risk.

Senator JOHNSON [continuing]. That speaks to maybe we should do this in a secured setting.

Ms. HIGGINBOTTOM. Senator, this is not my decision. I do not want to speak for the Department of Justice. But I look forward to working with you on this and other issues, if I am confirmed.

Senator JOHNSON. OK.

I just want to go on the record. I think the whole smoke screen of having prosecutions be the reasons that we are not able to gain access to the survivors is strictly that. I think that it has no basis, it is just an excuse. It is a very poor excuse.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Mr. Chairman.

And I think that our colleague might very well want to direct himself to the Justice Department on that question to pursue it as well. But, I think that the nominee has limited capacity in that regard to give a legal analysis of where the Justice Department's views are. But, I understand your concern. And that may be an appropriate way to try to get to an accommodation.

One final question. You know, international affairs spending has gone from 2½ percent of the overall Federal budget in 1965 to less than 1 percent today. Which means, as the challenges that we have faced globally have dramatically multiplied, we are doing active diplomacy with far less in relative terms. So, one of the most significant challenges I think you have and one of the assets I think you can definitely bring to this job. But I would like to hear your thinking about how do you allocate international affairs spending most effectively and efficiently in the context of what is our stated foreign policy initiatives?

Ms. HIGGINBOTTOM. Mr. Chairman, thank you for that question.

It is an important investment of just 1 percent of the Federal budget. Our mission is not getting smaller, it is not getting less complicated. And so, we have to look at both sustaining that investment, but also how to do more with less. When I was at OMB it was at a time when the overall discretionary appropriations were coming down. We had to look across the entire Federal budget and figure out how to make difficult tradeoffs in priorities in order to fund our priorities and to make cuts and tradeoffs in programs. And that experience and perspective is what I would bring into this position, if I were confirmed.

First, I think the QDDR gives us a good opportunity to really look strategically at what our policy, programs, and operations should look like. And that can help set a roadmap for how we should structure our budgets. I think that we also have to, as I was saying to Senator Rubio, we have to do more in terms of our evaluation and analysis to inform the efficacy of our programing.

And we can also look for efficiencies in the system, when we are evaluating them and find out where there are duplications and where things are not working. We have to make difficult tradeoffs in some of our programing when we find ourselves with reduced overall appropriation. But, we need to do that smartly. We need to ensure it is consistent with our policy and it reflects our values. So, the experiences that I had at OMB, I think, are very relevant to the moment we are in today in living with sequester and also looking at discretionary caps for the next several years.

The CHAIRMAN. That should be the title of a book: Living with Sequester.

[Laughter.]

Ms. HIGGINBOTTOM. I hope it is an old book soon.

The CHAIRMAN. Well, thank you for that answer.

One of the areas I hope you will look at, upon confirmation, is that alignment with some of our programs with AID and there is a view that some of that is duplicative versus coordinated. And that may be a rich opportunity for some significant advancement.

Ms. HIGGINBOTTOM. Yes.

The CHAIRMAN. Seeing no other members before the committee who want to ask a question. The record is going to remain open until the close of business tomorrow. There may be questions for the record for you. I would urge you to answer them expeditiously in order to try to move your nomination forward to a business meeting.

And with that, with the thanks of the committee, you are excused now.

Ms. HIGGINBOTTOM. Thank you very much.

The CHAIRMAN. Thank you very much.

Our second panel today are Dr. Sarah Sewall and Richard Stengel. And I would ask them to come up to the witness table. And, as we bring them up, let me introduce them briefly.

Dr. Sewall is nominated to be Under Secretary for Civilian Security, Democracy and Human Rights. She will have a significant portfolio responsible for five Bureaus, overseeing Conflict and Stabilization Operations; Counterterrorism; Democracy, Human Rights and Labor; International Narcotics and Law Enforcement; and, Population, Refugees and Migration.

The new mandate of this position is to build and oversee a coherent capacity in the Department that promotes stability and security in conflict-affected and fragile states, and to support democratic practices, human rights, and humanitarian policies.

It is a large and complex portfolio. But, I understand having three teenaged daughters that maybe you can accomplish all of that with a large and complex portfolio.

And I am interested to hear your plans and intentions, when it comes to civilian security in Latin America, Syria's growing refugee problem, and human trafficking and women's issues. I am also in-

interested in learning more about your plans in your expected concurrent role as a special coordinator for Tibetan Affairs.

Our second nominee is Richard Stengel to be the Under Secretary of State for Public Diplomacy. Mr. Stengel would be the Secretary's principle advisor on Public Diplomacy issues. He would manage all Public Diplomacy resources and oversee efforts to build lasting ties to cultural diplomacy. He would also help shape foreign public opinion, including oversight of the Center for Strategic Counterterrorism Communications.

He is an internationally acclaimed author and journalist, managing editor of TIME magazine, and brings 30 years of communications experience to this new role, if confirmed.

I look forward to hearing your views on current Public Diplomacy efforts around the world. We would be interested in your views on how we might maximize the role of new media and technologies in our national interests.

I know that Senator Schumer wanted to also be part of welcoming you to the committee. And, when he gets here, we will certainly pause for that opportunity. But, in the interests of time and the fact that there are going to be votes shortly taking place, I would like to move your hearing along.

So, as we did in our previous panel, if you have family and friends, please feel free to introduce them to the committee. We welcome all of them. As I said, service is an extended reality for families. And we appreciate your families' willingness to be part of the sacrifice of that service.

Your full statements will be included in the record. We would ask you to summarize them in about 5 minutes or so, so we can enter into a dialogue with you.

And we will start with Dr. Sewall.

STATEMENT OF DR. SARAH SEWALL, OF MASSACHUSETTS, TO BE UNDER SECRETARY OF STATE FOR CIVILIAN SECURITY, DEMOCRACY, AND HUMAN RIGHTS

Dr. SEWALL. Thank you, Senator.

The CHAIRMAN. You have to put your microphone on, please.

Dr. SEWALL. Thank you, Senator.

And I am almost tempted, in light of the articulate defense of State Department programming put forth by Senator Rubio and yourself, to simply associate myself with your remarks. But I will—

The CHAIRMAN. That would not hurt.

Dr. SEWALL [continuing]. Nonetheless proceed.

[Laughter.]

Dr. SEWALL. But, thank you, Senator Menendez. Thank you all members of the committee. I am deeply honored to be with you today and to be considered for the position of Under Secretary of State for Civilian Security, Democracy and Human Rights.

It is humbling, the trust placed in me as a nominee by President Obama and Secretary Kerry. And, if confirmed, I pledge to work with you and your colleagues to advance American values and strengthen the security of the American people.

I would like to thank in advance, although not acknowledge in person, my husband, Thomas Conroy, who is a public servant him-

self, and our three eldest daughters, Madeline, Kashin and Emma, in their senior year of high school; as well as our youngest Sophie, who is not quite yet a teenager, but on the cusp, she is 12. So they could not be here today, but they are with me in spirit and their enthusiasm for the possibility of my return to public service is an enormous gift.

Having worked on Capitol Hill, I have tremendous respect for the institution of Congress and the Members of the House and the Senate. Senate Majority Leader George Mitchell taught me the value of listening carefully to alternative perspectives and ideas in the legislative process. He always made time to consider carefully the views from both sides of the aisle. And it is from that spirit of openness and respect that I appear before you today and with which I would serve if confirmed.

If confirmed, I would be eager to work with you and to learn your thoughts about this new Under Secretary position and how its nearly \$4 billion in programs and its numerous people overseas and in Washington can more effectively promote good governance and promote human freedoms. As you know, this Under Secretariat, known within the Department as "J," is a highly operational entity that, for the first time, combines both hard and soft power tools and policies.

The Under Secretary must prioritize and promote synergies among these varied programs; strengthen intragovernmental, international, and civil society partnerships to magnify these efforts; and help the American people understand why it is in their interest to make these investments in human security.

Much of my career has focused on protecting civilians and promoting human rights. And I have done this from very different vantage points. I served in the Pentagon as the inaugural Deputy Assistant Secretary of Defense for Peacekeeping. And then I directed Harvard's Carr Center for Human Rights Policy.

I have always been most interested in how the United States can best realize its policy goals through actions; i.e., the implementation of policy. And that is why, during a decade of teaching at Harvard, I chose to focus my research on operational challenges to realizing human rights. History teaches that even the best policies will falter without effective implementation and that there is always room for improvement.

Particularly today, in light of tightening budgets, the United States must make civilian power more efficient and creative. And, if confirmed, I will work with you to use our resources strategically while continuing to ensure that these programs deliver results for America and for our partners and friends.

In 1963, Martin Luther King, Jr., wrote of a single garment of destiny that bound the human race. And his words ring evermore true in today's interconnected, hyperlinked world. When the world is safer, Americans are safer. And when the world is more prosperous, Americans will prosper. When we invest in promoting our values and preventing conflicts today, we reduce the odds that our military will be asked to sacrifice for us tomorrow. And when our Nation is true to its principles, it is all the stronger.

I share Secretary Kerry's view that strengthening civilian security and good governance abroad offers an enormous return on in-

vestment. Not simply in the conflicts that we avoid, but also in the well-being of future generations of Americans. It would be an enormous privilege to bring my experiences and convictions to the role of Under Secretary for Civilian Security, Democracy and Human Rights.

I thank the members of the committee for your commitment to these issues and for your consideration of my nomination.

I look forward to your questions, thank you.

[The prepared statement of Dr. Sewall follows:]

PREPARED STATEMENT OF DR. SARAH SEWALL

Thank you, Mr. Chairman, Ranking Member Corker, and the members of this committee. I am deeply honored to be here with you today and to be considered for the position of Under Secretary of State for Civilian Security, Democracy, and Human Rights.

The trust placed in me by President Obama and Secretary Kerry is humbling. If confirmed, I pledge to work with you and your colleagues to strengthen the security of the American people and nations around the world by helping countries build more democratic, secure, and stable societies and to advance human freedom.

I would like to acknowledge my husband, Thomas Conroy, a public servant himself, our three eldest daughters, Madeleine, Cashen, and Emma, who are in their senior year of high school, and our youngest, Sophie. While they could not be here today, they are always with me in spirit. Their enthusiasm about the prospect of my return to government service is an enormous gift for which I am very grateful.

Having worked on Capitol Hill for Senate Majority Leader George Mitchell, I have tremendous respect for the institution of Congress and for the Members of the Senate and the House who fulfill their important responsibilities. One of the greatest lessons I learned from Senator Mitchell is the importance of listening carefully to the views of those with differing ideas and perspectives. Senator Mitchell was an outstanding public servant of deep personal conviction, yet he always made time to consider carefully diverse views from both sides of the aisle. It is in that spirit of openness and respect that I appear before you today.

If confirmed, I would be eager to work with all of you and benefit from your perspectives on this Under Secretary position and how its nearly \$4 billion of programs and numerous personnel overseas and in Washington can more effectively promote good governance and protect human freedoms around the globe.

As you know, this new Under Secretariat (known within the State Department as "J") is part of a broader transformation of U.S. foreign policy. The dissolution of the Soviet bloc, the growth of global terrorism, and the challenges posed by weak or repressive governments have prompted changes in U.S. policy and our methods of engaging with the world. The 2010 Quadrennial Diplomacy and Development Review reorganized the State Department, creating a new configuration of operational bureaus and offices that combines both "soft power" and "hard power" tools to promote civilian security, democracy and human rights.

This combination of policy and programs offers a tremendous opportunity to integrate efforts across a broad spectrum of activities. For the first time, the Bureaus of Counterterrorism and International Narcotics and Law Enforcement reside in the same Under Secretariat, as do the new Bureau of Conflict and Stabilization Operations, and the Bureaus of Democracy, Human Rights, and Labor, and Population, Refugees and Migration, as well as the offices that work to promote international justice, engage global youth, and combat human trafficking. The Under Secretary must not only prioritize and promote synergies among these programs, but also work to strengthen effective partnerships across the U.S. Government, among our global allies, and with civil society more broadly.

While our Nation's engagement with the world continues to evolve, America's goals remain constant: It has consistently sought a stable international system that enables the free flow of commerce and ideas and protects individual freedoms. International stability and human freedom may be "global goods," but they also promote Americans' security and prosperity.

The hardworking professionals at the State Department have embraced this mandate. From responding to conflict in Syria through humanitarian assistance and support to the opposition, to building trust in Burma between long-warring ethnic groups, to strengthening the rule of law in Central America, State Department employees every day tackle tough challenges such as these to build a more just,

safe, and free world. If confirmed, I will devote myself to supporting them and all of the tremendous work that they are doing.

Much of my career has focused on protecting civilians and promoting human rights. I have worked on these issues from very different vantage points—serving in the Pentagon (where I was the first Deputy Assistant Secretary of Defense for Peace Operations), and directing Harvard's Carr Center for Human Rights Policy. Perhaps more important than my involvement in policy is my interest in how the U.S. Government can best realize its policy goals through actions; i.e., the implementation of policy. This is why, while teaching at Harvard, I worked with the U.S. military to help revamp counterinsurgency doctrine (making civilian protection the center of U.S. operations), to reduce incidents of civilian casualties in Afghanistan (capturing best practices and proposing institutional reforms), and to create doctrine for preventing and responding to mass atrocities (now adopted by the U.S. Armed Forces). Even the best policies will falter without effective implementation, and there is always room for improvement.

Particularly in the face of tightening budgets, the United States must work to make civilian power even more efficient and creative in addressing global challenges. The Joint Under Secretariat can leverage the great work by organizations and individuals within civil society, the State Department, USAID, and partner organizations across the international community. The State Department must ensure that every penny of taxpayer resources is used wisely. If confirmed, I will work with you and my colleagues in the Department to use our resources strategically, while continuing to ensure that these programs deliver results for America and our partners and allies.

In 1963, Martin Luther King, Jr., wrote of "a single garment of destiny" that bound the human race. His words ring ever more true in today's interconnected, hyperlinked world. When the world is safer, Americans are safer; and when the world is more prosperous, Americans can be more prosperous. When we invest in promoting our values and preventing conflicts today, we reduce the odds that our military will be asked to sacrifice for us tomorrow. When our Nation is true to its principles, standing with civil society against hatred and repression, we are all the stronger. And as Secretary Kerry has said, strengthening civilian security and good governance abroad offers an enormous return on investment—not simply in the conflicts we avoid but in the well-being of future generations of American citizens.

It would be an enormous privilege to bring the experiences and convictions I have described to the role of Under Secretary for Civilian Security, Democracy, and Human Rights.

I thank all members of the committee for your commitment to these issues, and for your consideration of my nomination. I look forward to your questions. Thank you, again.

The CHAIRMAN. Well, Professor, you did not use your full 5 minutes. That is remarkable. [Laughter.]

Mr. Stengel, let me, before we call upon you, we are going to have a vote going on right now. We would like to have your full statement and then we will recess before the questions, and we will go vote and return.

So, with that, Mr. Stengel.

Senator CORKER. Mr. Chairman, if I could. I am not going to be able to come back because of a meeting with our U.N. Ambassador, actually.

And I want to thank you both, coming from the private sector, wanting to serve in the public sector. And I will forward some questions for the record down the road. But I think we both had meetings in our office that I thought were very productive.

And I want to thank the chairman for calling this. But, I am not coming back. It is not out of—due to—it is not due to lack of respect, OK?

Thank you.

The CHAIRMAN. Thank you, Senator Corker.

Mr. Stengel.

**STATEMENT OF RICHARD STENGEL, OF NEW YORK, TO BE
UNDER SECRETARY OF STATE FOR PUBLIC DIPLOMACY**

Mr. STENGEL. Mr. Chairman, thank you.

The CHAIRMAN. If you would put your microphone on.

Mr. STENGEL. Chairman—oh, I am sorry—Chairman Menendez, Ranking Member Corker, members of this committee. It is an honor to be here today. And I am humbled by the trust placed in me by President Obama and Secretary Kerry.

I am mindful, Senator Corker, of your admonition about bringing children. So, I did bring mine today. My wife, Mary Pfaff Stengel, is here; my two boys, Gabriel and Anton; and my niece Amanda, who is a senior at Georgetown is joining us as well. There is one person whose absence I greatly miss, and that is my father who passed away this summer. He was an immigrant's son from Brooklyn, who became an American patriot during World War II serving in the Air Force. And he always wanted me to go in public service and so I am sad that he could not be here today.

Now, if I am confirmed, I will be new to government. But, I have been engaged in a form of Public Diplomacy for much of my life. As the editor of TIME for the past 7 years, it was my job to explain America to the world and the world to Americans. We did that for more than 50 million people on every platform under the sun: Twitter, Facebook, Google Plus, even paper.

And, before that I was CEO of the National Constitution Center in Philadelphia, where my mission was to affirm the centrality of the American Constitution for the American public and for foreign visitors.

And then, a decade before that I had the great privilege of working with Nelson Mandela on his autobiography. And, more importantly, while he was writing his country's constitution. And it was inspiring for me to be there, in Africa, while they were writing a constitution—a modern constitution based on those same principles that had been articulated by our Framers 200 years before.

Every day, everywhere around the world, there is a great global debate taking place. It is about the nature of freedom and fairness, about democracy and justice. It is happening in all the traditional places, street corners, coffee shops, but it is also happening on all of these new social media platforms. As a result the reach, the scale and the speed of that debate is like nothing before in history. I have been involved in that debate my whole life. America, of course, must be in that debate and we must lead it.

Every minute there are attacks and misstatements about America and American foreign policy that cannot be left to stand. Social media is a powerful medium for truth, but it is also a powerful medium for falsehood. Pat Moynihan, who was my Senator long ago, famously said, "You're entitled to your own opinions, but not your own facts." But more and more these days people seem like they feel that they are entitled to their own facts. They are making them up.

If confirmed, I will focus on a few issues that I believe are vital to our national interests. Nearly 60 percent of the world's population is under the age of 30. They are our audience and they are our vital interests. If confirmed, I will advance Public Diplomacy's

focus on youth, including girls and underserved communities, so they see our Nation and our people as friends and allies.

If confirmed, I will work to identify and implement the best practices of social media and mobile technology. We must align our resources at the State Department along these new platforms and targeting the audience that we want. This cannot, of course, replace people-to-people diplomacy. That is indispensable. But, social media is a gigantic force multiplier.

We are, of course, the entrepreneurial Nation. And that expertise is one of our most valuable exports. If confirmed, I will scale up programs that support innovation so that we can connect small businessmen—small businesswomen in Sopala with American business leaders here, so that others like her can succeed in the global economy.

If confirmed, I will also be a champion of educational diplomacy. Education is one of our greatest strategic assets. Our institutions, where more than 700,000 foreign students come, are incubators of democracy. And their learning of the English language is critical, because that is the language of innovation and entrepreneurship. America is also the leader in technologies that are revolutionizing the way people learn. And, if confirmed, I will employ these strategic assets to tailor educational exchanges to the 21st century.

And finally, combating violent extremism is vital to our national security. It is critical to make sure that we provide people, particularly youth in at-risk environments, with alternatives to misguided ideological justifications for violence. One successful example of this, which Mr. Chairman you mentioned, is the Center for Strategic Counterterrorism Communications, which actively refutes terrorist messages on social platforms in real time. This is something that is incredibly innovative that I think needs to be built up. And as the say at CSCC, “We must contest the space.”

Finally, I want to salute the men and women working in Public Diplomacy and Public Affairs around the world, including our exceptional American and local employees who are—they are risking their lives for America. They advance our national interests, often at great risk. It is my honor and privilege to offer my experience and leadership to support their dedicated service to the United States and the American people.

Thank you for giving me the opportunity to speak today.

[The prepared statement of Mr. Stengel follows:]

PREPARED STATEMENT OF RICHARD STENDEL

Chairman Menendez, Ranking Member Corker, all the members of this committee, I want to thank you for this opportunity to appear before you. I am honored to be here today and humbled by the trust placed in me by President Obama and Secretary Kerry. I am very glad to have this opportunity to talk to you about the importance of public diplomacy.

My wife, Mary Pfaff Stengel, is here with me today—she is a South African by birth and became an American citizen almost a decade ago when I was CEO of the National Constitution Center in Philadelphia. And I am very proud to have my two sons, Gabriel and Anton, here today as well.

There is one person whose absence today I deeply regret. My father, who passed away earlier this summer, was an immigrant's son from Brooklyn who became an American patriot through his service in the Air Force during World War II. His fondest wish was that I would go into public service. He did not think there was a nobler occupation.

If confirmed, while I will be new to government, I have engaged in a form of public diplomacy for much of my career. As the editor of *TIME* for the past 7 years, it was my job to help explain America to the world—and the world to America. And it was not a romanticized America, but the real America, a nation with outsized virtues and challenges. We did that to an audience of more than 50 million on an array of platforms—Twitter, Facebook, Instagram, Google Plus, Tumblr, even paper. When I was there we grew our digital footprint from under a million to more than 30 million unique users online and 12 million followers on social media.

Before that, as the head of the National Constitution Center in Philadelphia, it was my job to reaffirm the centrality and the importance of the Constitution to all Americans and to visitors from around the world.

And a decade before that, I had the great privilege to work with Nelson Mandela during a fraught period in South African history. A new constitution was being haggled over, and Mr. Mandela was presiding over the negotiations. One morning when we were out walking, he asked me to define federalism. Here was one of the great men of the 20th century creating a constitution that would bring freedom to his people, asking about a principle designed by American revolutionaries over 200 years before on a different continent. That Constitution is the greatest operating system for democracy that the world has ever known. It is also—in a thousand different ways—our greatest export.

I believe that it is our very openness as a country—openness guaranteed by the first amendment—that wins over people around the world. We are a nation founded not on a common religion or a common blood or ethnicity, but on an uncommon set of ideas: that all people are created equal and that we all have certain unalienable rights. But we cannot simply cherish those rights, we must promote them. That's where public diplomacy comes in. Public diplomacy is in our DNA as a nation. In the Declaration of Independence, the men who risked their lives, their fortunes, and their sacred honor said they were doing so with “a decent respect to the opinions of mankind.” Thus was born American public diplomacy.

Every day all over the world, there is a great global debate going on. It is about the nature of freedom and fairness, democracy and justice. It is happening in all the traditional ways, in coffee shops and on street corners, but it is also taking place on the new platforms of social media. As a result, the reach, the scale, the speed of that debate are like nothing before in history. I have been in that debate all of my life. America has to be in that debate. We need to guide it, steer it. We need to lead it. And we cannot rest on our laurels.

Every minute, there are attacks and misstatements about America and American foreign policy that cannot be left to stand. Social media is a tool that can be used for good or ill. It is a powerful medium for truth, but it is an equally powerful medium for falsehood. My Senator from long ago, the great Pat Moynihan, used to say, “You're entitled to your own opinions, not your own facts.” Well, today, more and more, people feel entitled to their own facts. They choose the facts that conform with their point of view. Even though it is easier than anytime in human history to find information to rebut lies, less of that seems to be happening. But we cannot resign ourselves to this; we need to fight it. That is public diplomacy in the 21st century.

And while the means have changed, the rationale for public diplomacy has not. Old style modern communication was a one-way street—newspapers, radio, television. Because of new technology, this narrative is now a two-way street. It is a dialogue not a monologue. It is no longer governments talking to governments. Everyone with a smart phone has a voice and a vote in this global marketplace. Social media is allowing us to build relationships with people around the world, even in the most remote corners. We can and must continue to reach individuals one by one through person-to-person engagement—nothing equals that—but we can reach exponentially more through the new techniques of social media.

That is why I would argue that much of diplomacy today is public diplomacy. For reasons both good and bad, the private salons of diplomacy are less central now than in the past. So much is already public—and what is not, surely will be. If our policies and ideas are to succeed, we need the support of the public both at home and abroad.

It was Henry Luce, the founder of *TIME*, who called the 20th century the American century. The 21st century should also be an American century, but not necessarily in the same way as the 20th. The rise of new powers, the youth bulge, the ubiquity of technology that makes the world even smaller and flatter, all point to a different but no less important American role in the 21st century. Our values do not change, but how we project those values needs to adapt to a new and different era.

If I am confirmed, I will focus on a number of issues that I think are vital to America's future and our national interests.

- Sixty percent of the world's population is under the age of 30. The number is even higher in the developing world. Strengthening relationships with emerging leaders and ensuring young people have the skills needed to become productive are of vital interest to the United States. If confirmed, I will advance public diplomacy's focus on youth, especially youth in underserved communities and girls. We must build and deepen relationships with new generations so they see our Nation and people as allies and models.
- The media landscape is more crowded and competitive than ever before. No one has to explain that to me. Digital is becoming dominant. Yes, print and radio are still the media of choice in many parts of the world, but we must align our resources toward new platforms that our target audience is using. Social media is a transformational tool that has changed the nature of communication. Working with my colleagues at the State Department, if confirmed, I will identify and implement best uses and best practices of social media and mobile technology. A young girl in sub-Saharan Africa holding a smart phone, for example, can have whole libraries at her fingertips; shouldn't she get a text from us helping to teach her how to start a business? We should also be reaching out to the young man in Sao Paulo who wishes to build a new future through educational opportunity online. We can transform lives by leveraging social media and technological tools.
- We are the entrepreneurial nation. Our entrepreneurial expertise is one of our most valuable exports. If confirmed, I intend to scale up programs that support innovation and connect successful American business leaders with aspiring entrepreneurs in other countries. We should support the efforts of a small businesswoman in Jakarta to attain the language and skills to help her succeed in a global business environment. This not only promotes economic opportunity and highlights the American model of doing business, but also strengthens the rights of disadvantaged groups.
- If confirmed, I will be a champion of educational diplomacy. Education is one of our great strategic assets. The hunger for an American degree is vast. More than 700,000 foreign students study in America, contributing more than \$22 billion annually to our economy. Our educational institutions are the laboratories of democracy for students from around the world. In many ways, English is the language of democracy and English skills are critical to success in the 21st century. If confirmed, I will strengthen our support for English training around the world. America is also the leader in technologies that are revolutionizing the way people learn. I intend to employ these strategic assets—English language instruction, our higher education system and innovative education technology—to tailor educational exchanges to the 21st century.
- One of my goals, if confirmed, will be to expand public diplomacy's worldwide efforts to combat violent extremism. It is vital to our national security that we provide people, particularly young people in at-risk environments, with alternatives to the misguided ideological justifications for using violence. One successful example of this is the Center for Strategic Counterterrorism Communications (CSCC), which actively refutes terrorist messages across cyberspace. Innovative public diplomacy programs designed to counter violent extremism in Pakistan and Afghanistan have been credited with saving American lives. We must confront distortion with reality; we must rebut lies with truth. As the CSCC says, we must contest the space. We must continue to support and advance this vital public diplomacy work.

Finally, I want to salute the men and women working in public diplomacy and public affairs around the world who are advancing our national interests. That includes our exceptional American and local employees working to engage foreign publics overseas, often at great personal risk, as well as our Washington-based staff. They are the inheritors of more than two centuries of American public diplomacy. It is my great honor and privilege to offer my experience and leadership to support and advance the tremendous work of so many dedicated people in service to the United States and the American people.

Thank you for giving me the opportunity to speak with you today.

The CHAIRMAN. Well, thank you both for your testimony.

The committee is going to stand in recess so that members can vote. And we will return immediately after those votes to get into a dialogue with you.

For the moment, the committee stands in recess.

[Recess.]

The CHAIRMAN. This hearing will come to order.

And our apologies to the two nominees. There was more than one vote, so it took a little extra time.

And just—Senator Schumer caught me on the floor and said he regretted that he could not make it because he was tied up on the floor on the legislation we are appending on and he is about to start a caucus meeting. So his full statement will be included in the record on behalf of Mr. Stengel's nomination.

[The prepared statement of Senator Schumer follows:]

PREPARED STATEMENT OF SENATOR CHARLES E. SCHUMER IN SUPPORT OF THE
NOMINATION OF RICHARD STENDEL

Thank you Mr. Chairman. It is my great privilege to introduce Mr. Richard Stengel, President Barack Obama's nominee to be the next Under Secretary of State for Public Diplomacy and Public Affairs.

I am pleased to say that Rick is a proud New Yorker, born and raised in New York City.

Mr. Stengel's long and distinguished career as a journalist, editor, and author makes him eminently qualified to be Under Secretary for Public Diplomacy and Public Affairs.

He has covered critical foreign policy issues for three decades for one of the most important magazines in the world. He has interviewed some of recent history's most renowned figures at key moments including Russian President Vladimir Putin, British Prime Minister Tony Blair, and Israeli Prime Minister Benjamin Netanyahu.

As Under Secretary for Public Diplomacy and Public Affairs, he will be responsible for leading "America's public diplomacy outreach, cultural programming, communication with international audiences, and U.S. Government efforts to confront ideological support for terrorism."

Most importantly, by transitioning from the world of journalism and media to that of diplomacy and public service, we can now say, that Rick is finally "walking the walk" instead of just "talking the talk."

But in all seriousness, Rick has always been a public diplomat. I believe that Rick's extensive global relationships and experience covering global issues at an up close and personal level make him the best person for the job. He will excel in his role as a representative of American culture and commitment to service and excellence abroad.

Rick is first and foremost, a proud New Yorker. He grew up in New York City before attending Princeton University. Upon graduation, he won a prized Rhodes Scholarship and studied English and History at Oxford University.

Stengel began working for Time magazine more than three decades ago as a contributor, including in the 1980s and 90s providing extensive coverage of South Africa during the apartheid-era and developing a close relationship with former South African President Nelson Mandela. He worked his way up the ladder and proved himself to be a stellar journalist and writer.

Rick collaborated with Nelson Mandela on his autobiography, *Long Walk to Freedom*. He even served as a coproducer of the 1996 documentary film "Mandela," which was nominated for an Academy Award.

In 2004, Rick left his position as National Editor at Time and became president and CEO of the National Constitution Center in Philadelphia. The National Constitution Center is the first and only nonprofit museum and education center dedicated to the founding document of American values and law: The U.S. Constitution. I believe this experience will also serve him very well as our Under Secretary.

As CEO, Rick raised the center's profile substantially, increased the center's endowment, and consistently increased the number of visitors. He also started a program to offer constitutional training for journalists, and a high school for students interested in history and government. Under his tenure, the organization became responsible for annually awarding the Liberty Medal for leadership in the pursuit of freedom.

In 2006, Rick returned to Time magazine but as managing editor. In this role, Rick oversaw Time magazine, which has one of the largest circulations in the world, Time.com, and other publications.

I would also like to highlight Rick's role in driving a very important conversation in American life on the case for national service. Rick wrote a very eloquent Time

cover story called “The Case for National Service” in which he argued that Americans needed to redouble their efforts to get involved in community service and volunteerism. His piece sparked a debate between both Presidential candidates in the 2008 election, where then candidates Senators Barack Obama and John McCain answered questions from a live audience on their plans for national service.

I believe Rick’s understanding of American values and of such diverse perspectives of American life and the issues affecting our country will prepare him well to communicate with audiences around the world about the role of the United States in foreign countries around the globe.

Rick is a highly gifted communicator that gets the issues, and has had an opportunity that very few have had to meet with global leaders at the highest stage to discuss important matters regarding national security, diplomacy, culture, constitutional values, and the role of the United States.

I wholeheartedly support Mr. Stengel’s nomination to be the next Under Secretary of State for Public Diplomacy and Public Affairs, and I urge my colleagues to support his nomination as well.

Thank you Mr. Chairman.

The CHAIRMAN. OK. So, let me start with you, Dr. Sewall. This is a— your portfolio is very large, as I said in my opening, and it is also very important. And there are a series of things that I want to explore with you.

First of all, democracy promotion. I sometimes wonder whether we pick and choose how we promote democracy in the world, depending upon the place that it is. And I am not quite sure that is the right policy, at the end of the day. If we ought to be a beacon of light to the rest of the world, as I believe we are, then having certain universal standards of democracy and human rights I think are critical. And yet, there are times where I get the sense that somehow we have a very different view of promoting democracy in certain parts of the world and we are very vigorous in others.

So, can you give me some general thinking in that regard, since this is one of the critical elements that you will be doing in your position, if confirmed?

Dr. SEWALL. Thank you, Senator.

It is an interesting observation because I think there is a distinction between goals of promoting democracy equally and the tools that we use to do them. And one of the things that is such a challenge and an opportunity for the “J” Enterprise and a challenge, I would relish, if confirmed as Under Secretary, is trying to find more innovative ways to promote democracy when our standard tools appear to be either less effective or harder to apply.

So, in my view, we cannot—the United States must always promote its values and democracy is foremost among them, it is who we are. And I recognize that in the interagency process there will always be vigorous debate about when and how to do that. My role, if confirmed as Under Secretary, will be to promote—to always do it and where it is hardest to do it, to find alternative ways to do it.

And I think that is one of the reasons why it is so important that they have reorganized the Under Secretariat so that a broad range of programming is united within the same span, so that you are not limited simply to words or simply to limited tools. But, your— you range across from security sector reform—all the way from democracies to security sector reform. You are thinking about counterterrorism and the interests that it raises in the context of promoting good governance and accountability and countering corruption.

And so, my hope is that, if confirmed as Under Secretary, I will be able to take a more nimble and creative approach to always promoting democracy, even if the ways in which we do it sometimes need to be adjusted depending on the circumstances. But, I agree with you fully, sir, that the commitment itself needs to be universal. It is, of course, what we say to the world: that we are committed to universal human rights, that we are committed to governance for all, that democracy is what we stand for. And so, I think it is essential. And I think it is the role of the Under Secretary to be promoting that view internally.

The CHAIRMAN. Well, I appreciate that. Because, in certain parts, I sometimes think we have double standards. In Burma we actively engage to create the space, the pressure, the international recognition before its efforts to be able to create change. So, peaceful efforts, but nonetheless to create change. In Cuba we have this romanticism and we seem to—the very same types of people, the same types of individuals struggling to create democracy and human rights in their own country in civil society. And yet, they languish in virtual anonymity.

And so, I hope that in your process and confirmation here, that we will see an application of a democracy that is more evenly and vigorously promoted. Because I believe that freedom and civil and human rights in Burma are incredibly important, they are also incredibly important in places like Cuba. And that has not been our reality. And so, I hope that your application of the effort in promotion of democracy will be global in nature, at the end of the day. Otherwise, when we pick and choose, it seems to me that then we diminish our capacity and our standing in the world to be able to promote them.

Let me ask you about—among your many portfolios, is going to be the area of war crimes. The Under Secretary for Civilian Security oversees the Office of Global Criminal Justice, which is formerly the Office of War Crimes Issues. From my perspective, in Syria, Assad clearly has committed and continues to commit war crimes. And while I applaud—and this committee was, I think a big part of making it possible for the President to be in a position to defang Assad's chemical weapons, it does not undermine that he is indiscriminately killing his own people in ways that I think are tantamount to the war crime.

How have you been engaged in your preparation with the State Department on how the State Department is working with its Syrian partners now and in exile as well as in country to document, verify and collect data to develop a case against Assad? If you have, I would like to hear what those observations are. If you have not, then what do you think should be the process and that you would engage in, in that regard?

Dr. SEWALL. Thank you for that question.

Absolutely, there needs to be accountability in Syria for the crimes that have been committed and continue to be committed. In the process preparing for this hearing, I have been impressed by the leadership within DRL in using American funding to create the mechanisms to be collecting all of the documentation and data that we would need to be prosecuting atrocities and crimes, when we are ultimately able to do so.

I think that the American support for justice and accountability is one of the more important ways in which we can help the Syrian people, in the long run, build a very different future than the one they are experiencing now. And I look forward to the time when we are able to do that. I think it is another example of the ways in which creative programming, support from the United States and others to promote a Syrian-led effort to bring to justice those that have committed criminal activity is both an important opportunity and an example for others. And, if I am confirmed, I will closely monitor that process.

Because, as you may know Senator, international justice has been a longstanding concern of mine. I have written about it quite extensively. I think that ending impunity for gross violations of human rights is absolutely critical. And I am firmly committed to taking that on, if confirmed.

The CHAIRMAN. Well, I believe it is absolutely critical as well. I know that there are those who are concerned that raising these issues might not lead to a Geneva II Conference. I believe not raising those issues undermines our credibility and our standing in the world and the ability to send a global message that, when you act with impunity and commit war crimes, that you will face a global consequence for it. And so, I am glad to hear your response to that.

I have a whole bunch of other questions. But, in deference to Senator Rubio, who is here, I am going to turn to him. And then I will come back to both you and Mr. Stengel.

Senator RUBIO. Thank you, Mr. Chairman.

Thank you both for your offer to serve our country.

Dr. Sewal, modern-day slavery is real. Many people think slavery is a relic of the past, and they are shocked to learn it is still going on in the world. One of the powerful tools that we have the Trafficking in Persons Report. Last year we elevated two pretty powerful countries, China and Russia, to Tier 3 for their failure to make efforts to combat human trafficking and modern-day slavery.

The debate, of course, is that they get waivers from the sanctions that are supposed to come associated with that. And there is a debate about that. And we can continue to have the debate about whether those waivers are wise or not. But, I wonder if you could take a moment just to speak about the power of the shaming that comes with that designation and the impact that it has on countries that are designated in that way. Does it still matter to people? Does it still matter to countries? Even if they may not show it publicly, does it still matter to them when they are shamed in this way, as countries that continue to be havens for trafficking and ultimately for modern-day slavery?

Dr. SEWALL. Thank you for the question, Senator.

I agree with you completely about the importance of this issue. It is shocking and it is a global phenomenon and we are not immune from it, here in this great country. My understanding, from the briefings that I have had to date, is that the shaming in fact matters very much. And I think we would not have the keen interest that we do have in the annual list and in the movement of countries among those lists, if it did not matter.

So, I would like to thank you and the Members of Congress who have created this tool because I think it is powerful. And, if I am

confirmed as Under Secretary, I will look forward to leveraging it as best I can to address this global crime.

Senator RUBIO. Another issue that I think we should be concerned about and I know we are in our human rights agenda is the issue of religious freedom. Religious persecution is on the rise in many parts of the world. The International Religious Freedom Office produces every year a similar concept to that of the Trafficking in Persons Report, a designation of countries of particular concern. This administration only issued these designations once in its first term, back in October of 2011.

Would you be supportive of an effort to make that designation an annual occurrence, as we do with other issues, given that—I would imagine that the shaming effect of that would be similar to that of Trafficking in Persons?

Dr. SEWALL. I think that one of the more interesting opportunities I am going to have in coming new to this role is looking at all of the different ways in which we do reporting on different forms of rights abuse and trying to think about how to leverage each as best we can. My understanding is that the reviews are done annually. And my general view, sir, about how we do these reviews is to look at the facts and make the recommendation based on the facts. And so, I cannot speak to decisions that have been made in the past. I can give you my commitment that I will undertake to use all of the tools that we have.

Senator RUBIO. Just the reviews are, but the designations are not. And let me tell you why that is relevant. The other part of it, of course, is that these sanctions that correspond to the designation expire after 2 years. So, would you be supportive of the idea that the sanctions actually remain in place for countries of particular concern for as long as the designation is in place? I mean, what is the wisdom in allowing them to expire if they have not taken any steps to be removed from that list?

Dr. SEWALL. I think it is a good question and I will have to look into it. I certainly share your desires to make the sanctions as effective as possible in support of the goals and the intent. And so, I will take a close look at that, if I am confirmed.

Senator RUBIO. OK. Thank you.

Mr. Stengel, welcome. And congratulations or condolences, whichever is appropriate depending on how you view it. But, thank you for your offer to serve our country as well. You have an interesting task ahead of you, if confirmed.

I believe, as I hope you do and I have no reason to think you do not, that the American example is one of the most powerful contributions that our Nation has made to the world. I know for a fact that people look at what happens in this country as a source of inspiration when they pursue their own freedoms, their own liberties, and their own expectations of what is possible. I mean, so many people in the world have been told their whole lives that people like you cannot rise because you do not come from the right family or the right religion or the right sector of society. They look to America as an example of why that is not true.

One of the challenges that I have found is that, because we have such a vibrant political system, our debates and the chaos that

sometimes ensues around them, people look at that as a sign of weakness. Let me give you an example.

Yesterday I had filed, along with many of my colleagues, a brief before the Supreme Court—and amicus brief on the issue of legislative prayer. So, as I arrived at the courthouse steps, basically every viewpoint in America on that issue was represented outside, people holding signs. You know, there were the atheists were there. There were the—obviously those who believe strongly in prayer. Others who just had constitutional reasons for being there. Viewing that scene alone you would say, “Boy, this is a chaotic country. How do these people share, they are so divided.” But, in fact, in many ways that is the source of our strength because whatever the court rules on that issue, people may disagree, they may disagree very strongly, but at the end of the day people are going to abide by it.

Again, another example of that, which I lived firsthand, was the recount in Florida in 2000, which was obviously a very close election and to this day we still have debates about how that should have turned out. But, at the end of the day, there was no question that, no matter what the court ruled or decided, that is what was going to happen.

How do we go to the world and say: when you see these things happening in our society, when you see these arguments and these debates, and all these things going on it is actually a source of strength, not a source of weakness? That we are able to have a society of such divergent views, but at the end of the day, whatever the outcome may be people may keep fighting to change them, but there is no question that they will abide by them. For example, that President Clinton was not going to roll out the troops and cancel the elections results, in 2000 when Vice President Gore lost. These things are sources of strength for our country.

How do we make that argument to a world that is desperately seeking security and order. But sometimes in a truly democratic process you have to have the space for that—the chaos that comes with debate, so long as that commitment to the rule of law is there. Is that a key component of our Public Diplomacy abroad? To explain to foreign peoples how the American concept works here, in an effort to inspire them to pursue a similar space in their own country?

Mr. STENGEL. Thank you, Senator, for that question.

And I share your passion for the debate and the breadth of that debate in America. Open societies encourage debate. And one of the things that I have been proudest of, in my career as a journalist, is to show the breadth of that debate. And, if confirmed in this job, I would like to be able to show people around the world that it is a strength of America that we have this diversity of opinion, that we can tolerate it. I think one of the things that is appealing to people around the world and why we are a beacon is that that debate is an example of free expression and not only tolerance for the views that we like, but tolerance for the views that we do not like. And that is part of the golden thread that is woven through the Constitution and American life. And I think it is appealing on its own to people around the world. And, if confirmed, I will work on even better ways to promote that.

Senator RUBIO. Can I just take 10 seconds?

I have one more question, which you alluded to in your opening statement. I have been impressed on how many people have a much clearer understanding of what this country is really like and what our freedoms entail, because they went to school here, they studied here, they lived here for a period of time.

I think you alluded to the fact that that is the kinds of things that we should be encouraging more of in the future, the opportunity for people to come here from abroad. Not just to acquire the skills that will allow them to go back to their country of origin—obviously there is some very talented people we would like to see stay here, hence our efforts on immigration reform. But, beyond that, there are folks that are going to return to their home country and potentially become the future leaders of those societies.

What can we do, from a public policy perspective to encourage more of that, to the extent it is cost effective and feasible?

Mr. STENGEL. Thank you, Senator.

Our higher educational system and the educational exchanges, which Education and Cultural Affairs sponsors, is something that is vital and powerful. And its effect is incalculable. I mean, if you look at not just the 700,000 students who are here, but if you look through the history of the Fulbright Scholarships; the number of Nobel laureates; the number of, for example, just in the recent elections in Pakistan, 27 local and national leaders elected in those elections had studied here. I agree with you. I think that makes them more sympathetic to the American point of view. That makes them understand us better.

I was overjoyed to see the story several months ago, when Xi Jinping, the new President of China, came over to see President Obama in California. And he asked to stop at a little town in Iowa where he had been—visited as a leader on one of the leader exchange programs, to have dinner with that family in Iowa that he stayed with many years before, when he was a young man. I think the value of that is extraordinary.

And again, I am a big believer in educational diplomacy. And I will try to increase the number of exchanges because I think that the long-term benefit of that is something that we all want.

Senator RUBIO. Thank you.

The CHAIRMAN. Thank you.

One of the areas where your portfolio will take you is refugees. And having visited Jordan earlier this year I think the third-largest city in Jordan is now Syrian, the Syrian refugee camp, which creates enormous challenges for the Government of Jordan, the Kingdom, as well as other countries in the region. And, while we have been leading in providing humanitarian assistance, you know, it is unlikely that those refugees are going to return home any time soon.

So, I would like to ask you, what do we do in making sure that our humanitarian aid is linked to longer term development as an effort? Because it seems very shortsighted in one respect. There is an immediate need. But, by the same token, we do not think about the longer term consequence. What would you say to that?

Dr. SEWALL. It is an excellent point, Senator. And it is one of the first questions that I asked when I began talking with people at the State Department. Because I see a real—obviously, we all wish,

given the tragedy in Syria, that it were possible for the refugees to return home as soon as possible.

But, I agree with you. We cannot afford to wait and not address their current plight in ways that have longer term implications. And so, I think there are enormous opportunities to use our refugee assistance outside of the country, where we have a population that is interested in envisioning a future. Use our support there to think more broadly than simply immediate relief. But to think instead of livelihoods, work, to think of developing ways to support internal governance structures, to build a set of skills and habits and expectations that we hope very much can return with them to Syria after the crisis is over.

I was interested to learn about some thinking that has been going on within INL and programming that is now underway to promote a new approach to enhancing the role of community members in working with the Jordanian police and the refugee camps to protect rights and promote security. That has an immediate benefit, obviously. But it has longer term implications too, in terms of training people, in terms of creating expectations about security, and in terms of potentially building infrastructure that would be useful in a national capacity later. And so, that is very exciting to me. And I think that is exactly the direction that we need to be heading. And I would welcome the opportunity to work with you on doing more innovative programming like that to assist these people in desperate need.

The CHAIRMAN. You have a certain expertise and I want to call upon it in terms of the Atrocity Prevention Board. Some have suggested that has been a failure. What would you respond to the critics who suggest that has been ineffective in stemming tragedies in Syria, the violence in Burma, or conflict in the Central African Republic? More than a critique of it, what would you say or would you propose that would increase its effectiveness? Do you have any ideas in that regard?

Dr. SEWALL. I do, Senator. And thank you for the question.

I do think that much of the disappointment that I have sometimes heard from the Atrocities Prevention Board to date stems from perhaps a different set of expectations about its role. And I think about it in two different ways.

First, its role in helping create a mindset within the bureaucratic infrastructure—and by that I mean the people who are our eyes and ears on the ground, the intelligence community—that is attuned to the risk of mass atrocity and the risk of mass atrocity developing into full-blown genocide and violence. And so, there is value, I think, in what I am told are the efforts that are underway within the system to elevate awareness and create a greater sense of responsibility for taking action.

The second piece of that—and this is perhaps more germane to your question—is that I believe the Atrocities Prevention Board's added value is in studying and focusing attention on areas in which there is violence but before it becomes a level of national concern, such as Syria. Obviously Syria is the most important foreign policy priority of crisis management today. And the interagency process, as a whole, is seized with it. The APB, in my judgment, no longer needs to play a role in elevating its attention. The APB, I think,

can add the most value where it looks at the incipient crises and seeks to elevate the awareness and the resources and the programmatic response in areas where we can make a difference, where it is still below the radar of a full-blown crisis that's occupying the attention of the principals.

And so, for my role, if confirmed as Under Secretary, I think that that early warning capacity within the APB offers an enormous potential to focus the resources and the efforts across the entire "J" Enterprise. And it is my hope that we will be able to think more creatively. And we may need to come to the committee and engage in a more consultative process about responding earlier with more fulsome programming in areas where we see opportunities to avert crises in—

The CHAIRMAN. Well, I would be very much interested in engaging with you on that because it seems to me that our goal should be to prevent not to elevate. We elevate because—out of the necessity of what is both our national interests and our national security. But, when we get to that point we have already to some degree, I want to say, failed because we cannot always engage and/or prevent every conflict that ultimately rises to a level, as it has in Syria, for example. But I think that very often we are shortsighted about delegating the resources and the effort before it becomes that elevated stature. And I hope that that is one of the things you will pay attention to, when you are confirmed.

Dr. SEWALL. Absolutely. I would be delighted to—

The CHAIRMAN. Two other—

Dr. SEWALL [continuing]. Work with you—

The CHAIRMAN. I mean, I have a whole bunch but I will—your portfolio's so wide. But—so, two others.

One is I see markets around the world expanding rapidly and as such labor forces migrate there to meet those demands. And I would like to hear, in your capacity, how you intend to oversee in the Office to Monitor and Combat Trafficking in Persons, particularly to engage foreign governments and corporations to eliminate trafficking in their supply chain.

Dr. SEWALL. Thank you for the question.

I am very excited about the possibility, not simply for the moral reasons that we were discussing earlier, but because one of the hard security elements of the scourge of trafficking is that it is often intertwined with other nefarious practices and actors that we wish to combat.

And so, as I look across the spectrum of bureaus that are active and offices that are active within the Under Secretariat I see great synergies to be developed between our efforts to combat trafficking and our efforts to combat other problems, whether they are generalized criminal behavior, whether they are violent extremist's exploitation of persons. There are a host of ways in which the Trafficking in Persons element, which has highlighted a problem that we, frankly, did not seem to be paying significant attention to is not leading the way, in terms of guiding our efforts to unpack problems that have implications in other areas of the "J" Enterprise.

So, I hope to learn more about what has been successful within the Trafficking in Persons' practices and help ensure that some of those lessons are migrated to other elements of the work that will

be under my span of supervision. And to continue to help us understand that these problems are all interrelated, and so our solutions need to be thinking beyond simply the response to trafficking but also the prevention of trafficking, which is related to other elements of the “J” programming. So, I see it as an enormous challenge, one in which some of what we have learned in trafficking can apply to other areas of “J.” And there are also other elements of “J” that can better support our antitrafficking efforts, even if they are not called precisely that.

The CHAIRMAN. And then finally, only because time—we could talk about Tibet, China, religious freedom, and a whole host of other things. But, and I may submit some questions for the record. We had a brief discussion in those regards.

One of the critical things I hope that you will look at is many of the “J” Bureaus—whether it be Population Refugees, Migration, Bureau of Conflict Stabilization, Bureau of Democracy, Human Rights and Labor—are working in the same—on issues and with resources in countries in which also USAID is working on some of those issues. And, at a time, as we were discussing with Ms. Higginbottom, the challenges of maximizing our resources, of having a greater coordination I hope will be one of the efforts that you will bring to your job.

Dr. SEWALL. Yes, it absolutely will be.

The CHAIRMAN. All right.

Mr. Stengel, I do not want you to feel left out here. You have a very important role here. Let me ask you a couple of things.

One is structural in nature because I think a lot about whether the good intended consequences for different positions we have in the State Department can be achieved if the structure does not allow them to achieve it. And there are those who have been critics of the structure of U.S. Public Diplomacy who have argued that the Under Secretary’s role is not strong enough, from a bureaucratic standpoint within the Department, citing lack of authority to direct most Public Diplomacy resources, personnel, activities abroad.

With most Public Diplomacy officers working in regional bureaus or diplomatic posts abroad, outside of the Under Secretary’s organization, what is your understanding of the role of the Under Secretary in directing U.S. Public Diplomacy efforts worldwide? I am sure you had an engagement with the Secretary and the administration in talking about accepting this role. How do you see being able to achieve the very goals that you so admirably stated in your statement and response to some of the questions here?

Mr. STENGEL. Senator, thank you for that question.

And, as you know, the Secretary and the President are strong believers in the idea of Public Diplomacy and global engagement. And I think they each have notions about how to do it even better. Insofar as I have been briefed on the Public Diplomacy aspect of my job in brief, the Public Diplomacy officers who serve around the world, again at great risk often to themselves, have a whole set of tools at their behest that they can use to promote America and America’s image abroad and programs. The educational programs, there are visitors’ programs, there are more than 700 American spaces around the world that have 16 or 17 million visitors where people engage with American ideas and things like that.

So, I think there are a lot of possibilities. And the reality of what Public Diplomacy officers do I think is great. Certainly, if confirmed, I will look at whether there are other things that might be done to enhance American Public Diplomacy. I would never, by the way, refuse an offer of having more authority. But, thus far it feels like the amount of authority that I have over the Public Diplomacy officers and programs seems adequate.

The CHAIRMAN. OK. Well, I am—the alignment here, between your position and the ability to have those, you know, globally be able to pursue the Public Diplomacy that you envision, that the Secretary and the President put faith in you in this position on does not seem for me to be there. And so, we would love, once you get in the job, to talk about that as a structural element to ensure that we maximize the ability of the Public Diplomacy that you can bring to the Department's efforts to have a multiplier effect in a more powerful way.

In that regard, one of the things you are going to be as the Under Secretary of Public Diplomacy is the Secretary's designate to the Board of—Broadcasting Board of Governors. The entity over—charged with overseeing U.S.- international civilian broadcasting. Do you have any thoughts on that? Have you thought about that element of the role that you are going to be playing? And how do we create a greater integration between the State Department and the BBG?

Mr. STENGEL. Yes, Senator, I have thought about it. And I know you have thought a great deal about it as well. I would indeed be the Secretary's designate on the BBG Board, if confirmed.

The work that they do I think is vital to American foreign policy. There is of course the firewall between the independent journalism that is done by VOA and other organizations. And I would never say that there is too much independent journalism in the world. I think that is important. At the same time, I think there are opportunities for the State Department to work more closely with BBG. There have been examples recently. For example, with a BBG program in Mali that the State Department worked with, where we collaborated. So, I know the structure has changed a lot. And certainly, if confirmed and I am a member of that board, I will look at that closely and try to make it as effective and as efficient as possible.

The CHAIRMAN. One of the goals I seek to see in our Public Diplomacy is the greatest integration in order to have the greatest effect. And that is where I think we lack, which brings me to my final question.

The Bureau of International Information Programs has undergone reorganization in recent years. In order to modernize communication strategies and use of social media and new information technologies, which you referred to in your opening statement in terms of using those new technologies. However, a May 2013 inspector general inspection of the Bureau found that many problems exist including a lack of a clear strategy in performance measurement.

What attention would you place on new technologies and platforms as part of our global diplomacy strategy? And what steps do

you think that that particular bureau would need to take to improve its performance?

Mr. STENGEL. Thank you for that question, Senator.

I welcome the OIG report. Coming into a job for the first time and looking around, to have an Inspector General's Report that kind of looks at the territory and gives you guidance is something I find very valuable. I found that very valuable when I had reports like that in the private sector.

One thing I would be remiss if I did not mention, because I do not want them to feel left out, is that part of my brief is Public Affairs as well as Public Diplomacy. And I think one of the things that I would like to do, if confirmed, is to actually try to bring Public Affairs and Public Diplomacy closer together. Public Affairs is out there on the deck of the ship every day. And they are talking about policy. And they are talking about the President's policy and the Secretary's vision. I think that can help all of the other programs that we do.

From my statement, I think you will realize I am a great believer in the power of social media. I think it is not just a new tool. I think it is actually a new form of communication. And one of the reasons I think it is a very valuable tool to BBG, to Public Diplomacy is that it is interactive. It is not just us preaching and other people listening. We can have a dialogue. We can have a conversation. And I think that is something that is very important. That that illustrates the beauty of the free society that we are. And so, I would try to use all of those tools at my disposal to help and improve Public Diplomacy.

The CHAIRMAN. Well, it is certainly the new frontier. And it is a frontier in which those who wish us harm, by one dimension, are actively engaged in. And so, I appreciate your earlier comment in your statements about making sure that we are engaged in the space and occupying it as well, proactively as well as responsibly.

Well, I thank you both for your testimony.

The record will remain open until the close of business tomorrow. If there are any questions, and I am sure there will be some that will be proposed to you, I would urge you to answer them as expeditiously as possible in order to try to move your nomination before a business meeting.

The CHAIRMAN. And, with the thanks of the committee, this hearing is adjourned.

[Whereupon, at 1:09 p.m., the hearing was adjourned.]

ADDITIONAL QUESTIONS AND ANSWERS SUBMITTED FOR THE RECORD

RESPONSES OF DR. SARAH SEWALL TO QUESTIONS SUBMITTED BY SENATOR ROBERT MENENDEZ

Question. Conflict and Stabilization.—The Bureau of Conflict and Stabilization Operations (CSO) was established in 2012 with the mandate to advance U.S. national security “by breaking cycles of violent conflict and mitigating crises in priority countries. . . .” Recently, it has engaged in four principal efforts: providing election support in Kenya; publicizing and training Syrian opposition groups in Turkey; promoting confidence-building measures through landmine removal and education in Burma; and reducing violence in four Central American countries.

♦ Please provide your assessment of these efforts.

Answer. Throughout my career, I have been a strong advocate of civilian power, and particularly the development of civilian planning skills and civilian capabilities to help address global crises. I believe that CSO has begun to play a critical role in U.S. foreign policy, and that its contributions and importance must continue to expand. If confirmed, I look forward to learning more about the successes and limitations of recent efforts, helping promote learning and enhancing capabilities within CSO, and ensuring that we have an increasingly effective civilian capacity to help prevent and mitigate conflict.

CSO's recent efforts have included the following initiatives:

Kenya

I am told that CSO's Nairobi-based team was central to the Embassy's election efforts. The team helped organize and manage the largest diplomatic observer mission in Kenya, featuring 35 teams in 33 of Kenya's 47 counties. I understand that these efforts ensured that the United States had firsthand information and consistent messaging among all international partners during the days following the election when concerns were raised about electoral fraud.

Syria

The U.S. objective in Syria is a political settlement leading to a post-Assad transition that minimizes extremist violence and sets the conditions for an inclusive democracy. I understand that CSO has been at the forefront of promoting the cohesiveness and capability of the moderate Syrian opposition.

I understand that, in consultation with the Syrian Opposition Coalition (SOC), CSO has trained over 1,200 civilian council members from over 350 organizations in civil administration and equipped them with communications to coordinate with each other and the outside world. I have been informed that these skills, equipment, and connections allowed these groups to achieve the following:

- Organize together into provincial councils;
- Establish more than 50 civilian police precincts in 40 different communities in Aleppo province alone; each swore to uphold a code of conduct respecting international humanitarian law;
- Reopen schools and restore electrical power;
- Barter across regions for critical supplies like food and medicine;
- Promote the role of women in civil leadership;
- Publicly contest civil authority with extremist groups;
- Establish nine independent FM radio stations that collectively reach 80 percent of Syria's population; and
- Establish three satellite TV stations that can convey Syrian opposition messages across the Middle East.

I understand that, in the 2 months since CSO's nonlethal support to the Syrian Military Council began to flow, CSO has already provided enough utility trucks to motorize a small battalion, and enough communications equipment to network a brigade.

Burma

I have been told that CSO led a successful pilot in Kayah State to convene civil society actors, Burmese officials, and nonstate armed groups to discuss humanitarian mine action, establishing a model for indirect trust-building activities. Following CSO's program, the Government of Burma and the main nonstate armed group in Kayah State agreed to work together on a mine clearance project. I understand these efforts to increase trust among the Government of Burma and ethnic minority groups through humanitarian mine action are beginning to pay dividends and that CSO has designated 1207 funding to expand pilot efforts and train community leaders on how to effectively collaborate on mine action. If confirmed, I will explore using this approach of trust-building through collective work on a challenge of common interest for other states in Burma, including Rakhine State.

Central America

I am told that CSO is currently focusing its efforts in Central America on the critical issue of reducing violence in Honduras. I understand that CSO is implementing activities that transform the prevailing national hopelessness over escalating violence; supporting civil society advocacy for public security reform; and enhancing community-led, counterviolence programs.

It is also my understanding that CSO is providing its civil society partners with strategic communications advice and financial resources. CSO programming encourages senior government leaders to implement reforms and ensures public security reform is a significant issue not only during the ongoing Presidential campaign but

also for the incoming administration. I understand that CSO's efforts have generated initial, meaningful reforms in the Public Ministry that may help counter violence and impunity in Honduras.

I look forward to learning more about these initiatives and how we can expand and strengthen vital us efforts to prevent and mitigate conflicts abroad.

Question. Interagency Coordination.—Please comment on the degree of interagency coordination within the U.S. Government in its humanitarian assistance activities. USAID has programs addressing U.S. international humanitarian assistance. What relationship does PRM have with USAID's programs? Is there overlap? Do you expect a change in this relationship? To what extent do you believe the Department of Defense (DOD) should play a role in forming and enforcing U.S. emergency relief policy? How does PRM coordinate its work with various international and private agencies working with refugees during humanitarian emergencies? What changes would you like to see in these relationships to make coordination more effective and cost efficient?

Answer. I am told that U.S. Government humanitarian assistance activities are well-coordinated both in Washington and in the field, especially in large-scale emergencies requiring significant U.S. Government resources. For example, in the case of U.S. humanitarian assistance in response to the crisis in Syria, coordination happens through regular Principals, Deputies, and Inter-Agency Policy Committee meetings. Additionally, PRM and USAID's Democracy, Conflict and Humanitarian Assistance (DCHA) Bureau cochair a Syria humanitarian assistance working group, and PRM and DCHA cochair regular video conferences that link embassies in the region with Washington agencies and DOD's Combatant Commands to share information and coordinate U.S. Government activities. PRM and DCHA senior leadership have also taken joint visits to the field to advance U.S. Government humanitarian objectives.

Regarding the relationship between PRM and USAID, I understand that PRM and DCHA personnel work closely together to ensure that their respective programs are coordinated and complementary and are not duplicative. PRM and DCHA adhere to written "Coordination and Funding Guidelines" that have helped facilitate an effective division of funding responsibilities to meet critical needs throughout the world. I am told that PRM staff confer regularly with USAID counterparts in Washington and in the field. Additionally PRM, DCHA, and the Department of State's International Organization Affairs Bureau coordinate via the Humanitarian Policy Working Group (HPWG). The HPWG meets monthly at senior levels to address high-priority humanitarian policy issues, such as U.S. Government advocacy on U.N. humanitarian reforms, outreach to emerging donors, and guidelines for improved civilian-military coordination in humanitarian response, in a collective and strategic manner.

If confirmed, I look forward to working with PRM and USAID leadership to ensure that the HPWG continues to serve effectively as a coordination mechanism to advance key humanitarian policy issues. If confirmed, I would also make strengthened coordination with USAID a top priority. As you appreciate, humanitarian needs continue to grow, the United States and other donors' resources are limited, and current needs already exceed what any single government organization can meet.

When requested by civilian leaders and nested within a broader humanitarian strategy, I believe that DOD can play an important role supporting State and USAID humanitarian efforts, particularly where the U.S. military can provide a unique capability or where additional capacity is urgently required.

I understand that PRM's coordination with international and private agencies is extensive. In addition to representing the U.S. Government on the governing boards of key humanitarian agencies such as the U.N. Refugee Agency (UNHCR), the International Organization for Migration (IOM), and the U.N. Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), PRM is also an active participant in donor coordination groups in support of the International Committee of the Red Cross and the U.N. Office for the Coordination of Humanitarian Affairs (OCHA). It actively engages with, and participates in events hosted by, InterAction and Refugee Council USA, two major umbrella organizations for nongovernmental organizations working on humanitarian issues. PRM holds quarterly policy and budget briefings with its international and private agency partners, and attends regular meetings with stakeholders on key emergency issues. In addition, PRM's refugee coordinators posted to U.S. embassies abroad meet regularly with international and nongovernmental partners to coordinate and share information about humanitarian needs and challenges in country.

If confirmed, I will continue to build upon and expand the coordination mechanisms and networks already in place to ensure that U.S. Government humanitarian assistance is timely, effective, cost-efficient, and responsive to the needs of the most vulnerable people.

Question. Syria Refugee Crisis.—The Syrian crisis is well into its third year, and many refugees who have fled neighboring countries will not be able to go home for a long time. The impact of the refugee influx on Lebanon, Jordan, and other countries has been immense, and the possibility of conflict developing between refugees and host communities is increasing. In your testimony before the committee, you noted that we should be doing more to ensure that we are providing assistance to host communities and local authorities and that our humanitarian aid is linked to longer term development objectives.

◆ Please describe your views on this issue and what concrete steps you recommend be taken.

Answer. I understand that U.N., international humanitarian agencies, and non-governmental organizations (NGOs) have worked tirelessly with host governments over the past 2½ years to provide emergency aid to the more than 2.2 million refugees who have fled the conflict in Syria to Lebanon, Jordan, Turkey, Iraq, and Egypt. The influx of refugees has placed extraordinary pressure on the region's public services, infrastructure, and social systems, with host communities bearing the brunt of the burden. As the conflict in Syria escalates and expands, it is clear that return to Syria will not be a near-term option for most. In order to bolster the region's stability while the hard work of seeking a peaceful political solution to the crisis continues, U.N. humanitarian and development officials recently unveiled a comprehensive regional strategy to integrate the emergency humanitarian response with broader development support for Syria and neighboring countries. The plan will target support to refugees, host communities, and host governments, aiming to bolster communities to withstand the impact of major population surges by addressing the needs of the most vulnerable, regardless of nationality or status. I understand that U.N. agencies and NGOs are working with host governments to map existing relief efforts and gaps in the humanitarian and development response in order to prioritize the most critical new initiatives. This work is critically important and if confirmed I will do all I can to ensure U.S. support for these priorities.

I understand that this mapping process is well underway in Lebanon and Jordan, where the U.N. is overlaying national poverty data with refugee locations in order to identify the most vulnerable communities. In Jordan, the World Bank has rapidly scaled up its response through the recent launch of a \$53 million municipality support project. At the request of the Government of Lebanon, the World Bank, recently conducted an assessment and released a "Roadmap" identifying priority assistance initiatives to help Lebanon manage the impact of the Syrian crisis. On the margins of the U.N. General Assembly, Secretary Kerry announced an additional \$30 million to support host communities in Lebanon to address development and humanitarian needs.

As the international community develops new responses to the crisis, the U.S. Government should also look to innovative programming that meets the immediate and long-term needs of refugee populations and their hosts. One example is the ongoing Bureau of International Narcotics and Law Enforcement (INL) refugee community watch training program for Zaatari Refugee Camp in Jordan. Through this project, the Jordanian Public Security Directorate (PSD) will train approximately 600 Syrian refugees from the Zaatari camp to create units that will provide a visible presence and complement PSD efforts to establish and maintain order throughout the camp of nearly 80,000 refugees. This is a new program for INL but draws on its experience developing curricula for police training.

If confirmed I would work to bring together all relevant actors—host governments, community leaders, U.N. agencies, NGOs, the World Bank, and international donors—to galvanize resources through all available assistance streams to meet the short-, medium-, and long-term needs of refugees and host communities throughout the region.

Question. The Bureau of Counterterrorism is responsible for forging partnerships with nonstate actors, multilateral organizations, and foreign governments to advance U.S. counterterrorism objectives and our national security. If confirmed, what will your priorities be for the Bureau of Counterterrorism? Based on your knowledge of the Bureau's missions and activities, in which areas does it perform well? What policies or activities may need to be reassessed or improved?

Answer. In his May 2013 National Defense University speech, President Obama made it clear that 21st century terrorism presents short- and long-term challenges.

In the short term, the United States must maintain the pressure on al-Qaeda and its affiliates to disrupt their operations and bring terrorists to justice within a framework that respects the rule of law. In the long term, the President emphasized the need to do more to counter the social, economic, and political drivers of violent extremism that fuel terrorist recruitment and also build the capacity of our partners to address the threat within their borders and regions. This is where the Bureau of Counterterrorism, and indeed the broader J enterprise and other actors such as the Center for Strategic Counterterrorism Communications and USAID have a leading role to play.

It is my understanding that the State Department Counterterrorism (CT) Bureau made capacity-building partner capacity and countering violent extremism its strategic priorities during the President's first term.

If confirmed, I would look forward to evaluating the progress toward these goals and working to support CT's efforts to continuously improve its effectiveness and impact. I would also work with the President, Secretary Kerry, and Members of Congress to build on the progress the Bureau has made in these areas.

I understand that the CT Bureau has worked hard to develop new fora and programs to leverage international efforts on behalf of shared counterterrorism goals. If confirmed, I would hope to deepen and strengthen such a "force multiplier" approach to this global challenge. I'm also told that CT has developed innovative countering violent extremism (CVE) programs that target individuals and groups vulnerable to becoming radicalized to violence. If confirmed, I would hope to see these efforts not only expanded, but better aligned with those bureaus and offices in the Department working to address the underlying economic, political, and social conditions that terrorists exploit for recruitment.

More broadly, if confirmed, I would work with the CT Bureau and other parts of the Department to encourage greater synergy among these different efforts, which are at the heart of the President's vision for diminishing terrorist threats over the long term.

Question. If confirmed, how do you envision the Bureau of Counterterrorism informing and supporting the work of the other bureaus and offices you will be leading?

Answer. The establishment of the Under Secretary for Civilian Security, Democracy, and Human Rights, and the creation of the Bureau of Counterterrorism within that Under Secretariat were conceived as part of a broader transformation of U.S. foreign policy, reflected in the Quadrennial Diplomacy and Development Review (QDDR), which emphasized the need to advance a comprehensive and integrated approach to address today's transnational security and other foreign policy challenges. This approach aims to better integrate all of our foreign policy tools—diplomacy and development, hand in hand with defense to advance U.S. values and interests.

Specialized counterterrorism assistance to help our partners prevent and respond to terrorist attacks and protect American interests abroad is a critical part of this effort. The CT Bureau currently works to provide such assistance and to strengthen the capacity and political will of partners to effectively counter terrorist threats within their own borders through a rule-of-law framework. As such, the State Department's expanded role in counterterrorism is a central element of the broader effort to improve the United States ability to address U.S. 21st century challenges.

As evidenced throughout my career at the nexus of security and human rights, I strongly believe that counterterrorism efforts are most successful when respect for human rights and the rule of law are central elements of the approach.

The J Bureaus and Offices can work closely together across a range of mutually reinforcing lines of effort to strengthen the work of countering both the symptoms and drivers of violent extremism. If confirmed, I look forward to working with the President, Secretary Kerry, and Members of Congress to integrate policies and build on programmatic synergies to advance U.S. CT and foreign policy objectives.

Question. Gender-based violence remains a rampant problem in many of the world's conflicts, including Syria, Burma, and the Democratic Republic of Congo. Please provide an update on implementation of the National Action Plan on Women, Peace and Security. How, if at all, has implementation of the administration's National Action Plan on Women, Peace and Security made a difference in these countries?

Answer. To realize its commitments under the National Action Plan on Women, Peace and Security, it is my understanding that the Department developed an Implementation Plan to describe roles and actions for bureaus and embassies to incorporate women, peace, and security (WPS) priorities within policy and programs in conflict and post-conflict areas, and in countries experiencing significant political

transition. To put this plan into action, I understand the Department proactively engages with partner governments, civil society, and relevant multilateral institutions to ensure women's inclusion in all aspects of conflict prevention, peace-building, reconstruction and transitional political processes, civilian security efforts, economic revitalization, and the provision of humanitarian assistance.

In the Syria context, I understand the administration has made a concerted effort to prevent and respond to gender-based violence, and foster the political participation of women in peace-building and conflict mitigation efforts. The Department provided seed money to the Syria Justice and Accountability Center to document human rights violations and support transitional justice processes, including documentation of sexual and gender-based violence crimes. I understand there is also a new Community Watch Program to address security concerns at Zaatari Camp in Jordan. The training will address the prevention of gender-based violence as part of the curriculum.

In Burma, the Department has advocated in interagency, bilateral and multilateral engagements, as well as with civil society partners to advocate for women's engagement in local peace and reconciliation processes. In DRC, women have benefited from such integrated sectoral approaches as the Africa-WPS Initiative, which has supported capacity-building in order for local health, legal, and law enforcement professionals to gather medical evidence for successful prosecution and conviction of GBV perpetrators.

If confirmed, I would continue the work begun across members of the J enterprise—including the Bureaus of Democracy, Human Rights, and Labor; Population, Refugees and Migration; and International Narcotics and Law Enforcement Affairs—and in partnership with the Secretary's Office of Global Women's Issues to strengthen efforts in the areas of conflict prevention, protection from conflict-related gender-based violence, participation of women in decisionmaking institutions, and women's role in reconstruction and rebuilding efforts.

Question. State/USAID Coordination.—Many J Bureaus and Offices, including PRM (Bureau of Population, Refugees and Migration), CSO (Bureau of Conflict and Stabilization Operations, and DRL (Bureau of Democracy, Human Rights and Labor), are working on the same issues in the same countries as USAID offices are working. Critics say there is inadequate coordination among these many programs.

- ◆ How will you enhance coordination between USAID and your Under Secretariat to increase the efficient use of limited resources and overall effectiveness of programs?

Answer. The Quadrennial Diplomacy and Development Review (QDDR), which established the Under Secretary for Civilian Security, Democracy, and Human Rights, provides the foundation that allows the Department of State and the United States Agency for International Development (USAID) to become more efficient, accountable, and effective as we work together to (1) prevent and resolve conflicts; (2) help countries protect civilians and vulnerable populations while helping them become prosperous, stable, and democratic states; and (3) build global coalitions to address global problems. I understand that a variety of formal and informal mechanisms already exist to promote coordination between USAID offices and State bureaus. For example, I am told that USAID sits as a member of the panels that evaluate grant applications to DRL.

If confirmed, I would work to enhance this existing coordination. In addition, I would build on the cooperation that has been developed through the work of the Deputy Secretary of State for Management and Resources in bringing greater coherence, efficiency, and accountability to strategic planning and budgeting in areas in which we work together with USAID.

If confirmed, I would work to further align existing coordination among the bureaus and offices within the Under Secretariat's portfolio and work with USAID counterparts to further strengthen regular and systematic coordination and lessons learned processes.

Question. Since 2001, your predecessors have served concurrently as Special Coordinator for Tibetan Issues. This position coordinates U.S. Tibet policy, which calls for human rights improvements, preserving the distinct culture, language and religion of Tibet, and dialogue between the Dalai Lama, his representatives and the Chinese Government, without preconditions.

- ◆ If appointed as Tibet Coordinator, how will you engage with both Chinese officials and Tibetan religious, cultural, and political leaders to advance these goals? What will be your priorities with respect to Tibetan communities in India and Nepal? Will you commit to briefing Senate Foreign Relations Committee members or staff every 6 months on your activities in this position?

Answer. If designated as Special Coordinator for Tibetan Issues, I would maintain close contact with religious, cultural, and political leaders of the Tibetan people, including through travel to Tibetan refugee settlements in India and Nepal, and I would seek to travel to Tibetan areas of China. I would meet with the Dalai Lama and his representatives without delay. In my private meetings with Chinese officials, during formal dialogues, and in my public statements, I would look for new ways to promote substantive dialogue between the Chinese Government and the Dalai Lama or his representatives, without preconditions.

As the United States continues its rebalance to Asia, we must continue to demonstrate leadership on Tibetan issues, including in multilateral fora. If confirmed, I would press China to grant unfettered access to Tibetan areas to U.N. Special Rapporteurs, as well as to diplomats, journalists, and other observers. I also would continue to call on the Chinese Government to uphold its international human rights commitments, and to permit Tibetans to express their grievances freely, publicly, peacefully, and without fear of retribution.

The United States must remain concerned about China's pressure on Nepal with respect to Tibetan refugees. If confirmed, I would continue to press the Government of Nepal to remain fully committed to the longstanding "Gentlemen's Agreement," which allows newly arrived Tibetan refugees to transit unimpeded to India, and to ensure that the rights of the long-staying Tibetan community are respected. I also would support continuation of the vitally important Tibetan-language services of Radio Free Asia and the Voice of America. If confirmed, I also would coordinate our various Tibet programs that benefit Tibetan communities in India, Nepal, and on the Tibetan plateau, implemented by the Department of State's Bureau of Educational and Cultural Affairs (ECA), Population, Refugees, and Migration (PRM), Democracy, Human Rights, and Labor (DRL), and by USAID. I would seek new ways for the State Department and other U.S. Government agencies to promote the protection of Tibetans' distinct language, culture, and religion, both through our programming for Tibetan communities in China, India, and Nepal, and in robust interactions and exchanges with officials, civil society, students, scholars, cultural figures, and religious leaders.

Finally, if designated as Special Coordinator for Tibetan Issues, I would look forward to briefing and maintaining communication with Senate Foreign Relations Committee members and staff on my activities in this position.

Question. More than 120 Tibetans have lit themselves on fire in protest of Chinese policies. Despite the severe repression, military crackdown, and denial of basic rights, Tibetans have not resorted to violence against the authorities. Many observers ask how long that can last, especially as the Dalai Lama, with his calming influence, gets older.

- ◆ Given your background in conflict and atrocities, how do you see the trajectory of the Tibetan struggle, and how can we work now to prevent the situation from ever turning violent?

Answer. There is risk that the apparent cycle of repression, protest, and further repression in Tibetan areas of China could continue to escalate, suggesting another reason why resumption of dialogue between China and the Dalai Lama or his representatives, without preconditions, is so critical.

I understand that the State Department repeatedly has expressed the hope that these tragic acts of self-immolation end, and that the leadership of the Central Tibetan administration in Dharamsala, India, has similarly appealed to Tibetans not to resort to self-immolation. President Obama has commended the Dalai Lama's commitment to nonviolence, dialogue and the "Middle Way" approach, and continues to encourage direct dialogue to resolve longstanding differences. At the same time, China has continued to pursue counterproductive policies and failed to address the grievances underlying this crisis.

If confirmed, I would seek new ways both to enhance U.S.-China engagement on these issues and to encourage China to restart, without preconditions, dialogue with the Dalai Lama or his representatives. Dialogue remains the best path to resolution of Tibetan grievances, alleviating tensions in Tibetan areas, improving the stability of China, and strengthening the U.S.-China relationship. I also would call upon the Chinese Government to uphold its international human rights commitments, and to permit Tibetans to express their grievances freely, publicly, peacefully, and without fear of retribution. Finally, if confirmed, I would use the full range of tools available to me to monitor and assess the situation in Tibet to ensure that it receives the interagency attention and programmatic response necessary to help prevent the current violence from further increasing.

Question. Section 620M of the Foreign Assistance Act of 1961, commonly known as the Leahy amendment, provides guidance for U.S. embassies regarding the collection, use, and public disclosure of information relating to gross violations of human rights by units of host nation foreign security forces. Among other things, the law requires that if the Secretary of State has credible information that such a unit has committed such a violation, U.S. training, equipment, or other assistance to that unit must cease, unless the foreign government is taking effective steps to bring the responsible members of the unit to justice. The goals of this law are twofold: (1) to ensure that U.S. taxpayers are not underwriting assistance to abusive security forces; and (2) to help incentivize reform and the development of systems of accountability by allied security forces.

- If confirmed, please describe steps that you will take to enhance effective implementation of this law within the Department of State and in U.S. embassies.
- If confirmed, please describe the steps you would take to increase awareness of the intent of the law—helping allied governments end impunity for human rights violations.
- If confirmed, will you commit to briefing this committee annually on the steps you have taken to increase the efficacy and implementation of section 620M?

Answer. It is my understanding that the Bureau of Democracy, Human Rights and Labor (DRL) has worked continuously to improve implementation of the Leahy law, particularly since Congress amended the law in 2011. I am familiar with a recent report by the Government Accountability Office, which highlighted specific areas for improvement in providing guidance to posts on the duty to inform host governments of derogatory human rights information, reviewing posts' Standard Operating Procedures (SOPs) for Leahy vetting, and updating distance learning courses on the INVEST system. I understand that DRL is currently addressing these recommendations and, if confirmed, I would ensure that they continue to do so.

In addition, I would work to expand upon current efforts to educate partner governments about the law and identify ways in which we could guide or assist them in their efforts to ensure accountability in response to allegations of gross violations of human rights. Such efforts may be as modest as helping a government to develop a plan of action, but they could also include greater emphasis on rule of law and improving military justice systems in our programming engagements. I would also work to integrate application of the Leahy law as one of many tools in the U.S. Government's efforts to reform security services worldwide. I am committed to ensuring this committee is briefed periodically on our progress.

Question. The U.S. State Department J/TIP Office (Office to Monitor and Combat Trafficking in Persons) receives recommendations of Tier rankings in the annual TIP Report by regional bureaus and embassies that often prioritize issues unrelated to the eradication of trafficking in persons. Antitrafficking experts have raised concerns about "grade inflation" in the Tier ranking process.

- ◆ What steps will your Office take to support Tier rankings that reflect true antitrafficking efforts?

Answer. If I am confirmed as Under Secretary, J/TIP will continue to work collaboratively with other bureaus and offices within the Department to ensure the findings of the TIP Report are objective, merit-based, and in alignment with the requirements of the Trafficking Victims Protection Act of 2000 (TVPA), as amended. When governments do not produce results in holding those determined to be trafficking offenders accountable and in identifying and providing comprehensive services to victims, these areas for improvement are clearly documented in the report and reflected in the Tier rankings, regardless of the country. Precedent for such results is clearly evident in the Department's downgrading of a number of strategically sensitive countries in the June 2013 TIP Report based on their failure to improve on or make significant antitrafficking efforts.

I understand that many governments use the report's findings as a guide for addressing human trafficking more effectively. If confirmed, I will work to ensure that the report continues to accurately document trafficking trends and government responses.

Question. The Under Secretary for Civilian Security oversees the Office of Global Criminal Justice, which was formerly known as the Office of War Crimes Issues. Syrian President Assad clearly has committed, and continues to commit, war crimes. We now have a process underway to de-fang Assad to prevent future chemical attacks, but our work is far from done. Yet Assad's aerial bombardments of civilian apartment blocks continue. We must make sure that war crimes are not tolerated, cannot continue, and will result in severe punishment. With Russia's veto power at

the U.N. Security Council hampering the ability to pursue a referral to the International Criminal Court, we must establish a foundation today to pursue justice and accountability in post-war Syria tomorrow.

- ◆ How is the State Department working with its Syrian partners now, in exile and inside the nation, to document, verify, and collect data to develop the case against Assad? Please share your views about what additional concrete steps the U.S. Government can take to assist Syrians today to advance eventual justice and accountability.

Answer. I share your outrage about the violence in Syria and your commitment to ensuring that those committing war crimes and crimes against humanity be held accountable. As you know, the U.N. Independent International Commission of Inquiry already has reported on the war crimes and crimes against humanity that have taken place in Syria.

The State Department is supporting Syrian and international efforts to document evidence of atrocities committed by all sides for use in future accountability processes. One such initiative is the Syria Justice and Accountability Center (SJAC). I understand that the SJAC, led by Syrian human rights defender Mohammed Al-Abdullah, focuses on: (1) collection and analysis of documentation in Syria; (2) coordination of Syrian and international documentation efforts; and (3) education and outreach on transitional justice.

If confirmed, I look forward to working with colleagues in the State Department and across the U.S. Government to explore how we might best advance Syrian-led efforts to lay a foundation for transitional justice and accountability processes that the Syrian people, especially victims, deserve.

Question. The Rohingya are possibly the most persecuted people in the world, and yet few people are aware of their plight. A Muslim minority long resident in Burma, they are essentially stateless, and lack basic rights, including the rights to work, travel, and marry. They routinely suffer forced labor, confiscation of property, arbitrary arrest and detention, and physical and sexual violence. In addition, several hundred thousand reside in squalid conditions in Bangladeshi camps.

- ◆ Please describe, if confirmed, if and how you will address the multiple crises facing the Rohingya, and furthermore, if and how the bureaus and offices you will oversee, including CSO (Bureau of Conflict and Stabilization Operations), PRM (Bureau of Population, Refugees and Migration), and J/TIP (Office to Monitor and Combat Trafficking in Persons), DRL (Bureau of Democracy, Human Rights and Labor), DRL/IRF (International Religious Freedom), are addressing this issue now.

Answer. I am deeply concerned about the stateless Rohingya who continue to face ongoing violence, discrimination, and desperate humanitarian conditions in Burma and elsewhere in the region. As you know, since the June and October 2012 violence in Rakhine State, Burma, approximately 140,000 people, mainly Rohingya, remain internally displaced while some 20,000 to 60,000 Rohingya have fled by boat, seeking refuge in other countries in the region, the largest annual exodus in over 20 years.

I understand that the United States Government is actively engaging the Burmese and other governments in the region to address underlying issues of violence, discrimination, and persecution and to develop durable solutions. The United States Government is committed to ensuring the delivery of humanitarian assistance and intensified engagement with the Governments of Burma and Bangladesh, as well as with other international partners.

I understand that the Bureau of Democracy, Human Rights and Labor (DRL) has worked with Embassy Rangoon to condemn ongoing acts of violence and persecution in Burma, pressed the government to provide protection for those at risk, and made addressing the stateless status of the Rohingya in Burma a key priority of the U.S. Government's human rights dialogue with the Burmese Government. Moreover, DRL's Office of International Religious Freedom is actively engaged on religious freedom to map a way forward for Burma that will include respecting the religious rights of the Rohingya.

I also understand that the Bureau of Conflict and Stabilization Operations (CSO) has detailed a conflict specialist to Embassy Rangoon to monitor developments in Rakhine State and inform U.S. Government policy and programming. In addition, CSO's Washington-based team maintains close relationships with Rakhine State diaspora contacts and continues monitoring and analyzing conflict dynamics and conflict mitigation approaches in Rakhine State.

I understand that the Bureau of Population, Refugees, and Migration (PRM), in coordination with the U.S. Agency for International Development (USAID), is lead-

ing U.S. Government efforts to ensure access for the provision of humanitarian assistance and protection to internally displaced persons (IDPs) in Burma and Burmese refugees and asylum-seekers in neighboring countries, including the Rohingya. In FY 2013, the United States provided more than \$51 million in humanitarian assistance to vulnerable Burmese in Burma and in the region, including \$37.6 million from PRM and \$14.05 million from USAID.

I understand that J/TIP has repeatedly highlighted in bilateral diplomacy the issue of the vulnerability of the Rohingya population and encouraged Burmese Government officials to redouble their efforts to ensure the protection of Rohingya trafficking victims.

J Bureaus have also worked closely with the Bureau of International Organizations to maintain the U.N. Human Rights Council's mandate for the special rapporteur on Burma; continue the U.N. General Assembly's scrutiny of Burma, including the situation of the Rohingya; and support the establishment of an office of the High Commissioner for Human Rights in Burma with a full mandate to report on current abuses and build the necessary capacity to address human rights challenges.

If confirmed, I would work with interagency partners, Congress, and the international community to support and strengthen U.S. policy to enhance the security and advance the human rights of the Rohingya population in Burma and elsewhere in the region.

Question. In recent months, news reports have highlighted the loss of more than 360 migrants off the coast of Lampedusa, Italy, the deaths of 92 migrants in the desert in Niger, and the rescue of 700 more off the Italian coast. These tragedies highlight the dangers Africans, many fleeing conflict and poverty at home for the hope of better futures in Europe, encounter when they are exploited by human traffickers.

◆ How is USG addressing the issue now, and what more can be done?

Answer. I understand that the United States Government addresses such issues by providing programmatic assistance and through bilateral and multilateral diplomacy. The Department of State's Bureau of Population, Refugees and Migration (PRM) provides funding to the International Organization for Migration (IOM) to help build the capacity of countries in the Horn of Africa region to better and more humanely manage migration, including by helping countries in the region coordinate with one another on common concerns and to undertake awareness campaigns to discourage people from undertaking dangerous sea journeys. I understand PRM also supports an IOM program in Niger that provides emergency medical care and assistance to Nigeriens returning home, as well as to other migrant nationalities stranded by the Libyan crisis and the closure of the Libyan borders.

If confirmed, I will work closely with all the relevant J Bureaus and Offices to seek comprehensive approaches to the problem. I will work with countries of origin, transit, and destination—as well as with my interagency counterparts and interested governments—to help address security concerns and ensure access to appropriate protection for vulnerable migrants. Governments can work together to develop safe and orderly migration programs and to enhance economic opportunities in countries of origin. Governments can also improve law enforcement action against both smugglers and traffickers who exploit and abuse migrants and refugees, as well as provide access to appropriate protective services for those who have been ill-treated while making such journeys.

Question. The Democratic Republic of Congo and M23 will soon sign a peace accord, ending 20 months of violence. CSO has operated in DRC in the past, monitoring elections in 2011 and implementing a stabilization initiative in 2010.

◆ Is CSO currently engaged in the DRC? If yes, how will CSO work with the Government of the DRC and regional stakeholders such as Rwanda, Uganda, and the U.N. to help stabilize and bring critical humanitarian assistance to the areas that experienced the most conflict.

Answer. The State Department's Representative for Lord's Resistance Army (LRA) Issues (a CSO officer) is working with U.S. military advisors in northeastern DRC to bring about the end of the LRA. CSO coordinates closely with the Government of the DRC, other LRA-affected governments, Western donor nations, the U.N. Stabilization Mission in the DRC (MONUSCO), the AU, and various NGOs to help end the conflict and ensure that people in the region heal and rebound from this decades-old trauma.

CSO is in the nascent stages of exploring additional work in the DRC, including supporting disarmament, demobilization, and reintegration (DDR) efforts, providing humanitarian assistance, and strengthening infrastructure (for example, roads).

If confirmed, I will coordinate the efforts of the J Bureaus and Offices and will work with the entire State Department and the interagency community to develop a strategy to help the people and Government of DRC.

RESPONSES OF HON. HEATHER A. HIGGINBOTTOM TO QUESTIONS SUBMITTED
BY SENATOR BOB CORKER

Question. Does the Department have concrete plans for preventing increased violence against diplomatic personnel in Iraq and Afghanistan in the wake of those countries' respective U.S. military drawdowns?

Answer. Our missions in Iraq and Afghanistan face serious and ongoing security challenges. As with all our missions around the world, our highest priority is the safety of our personnel in the field. We have detailed security plans in place for both missions and review these plans regularly. We cannot escape the basic fact that Mission Afghanistan, in Kabul and the field, operates in a war zone; and that Iraq continues to pose a serious security challenge. In order to operate in such challenging environments, we have implemented some of the most robust security measures available. We can do much to mitigate risk, but such risk cannot be entirely eliminated.

We greatly appreciate the support provided to the Department by Congress in implementing the Increased Security Proposal (ISP), as well as funding for both ongoing and extraordinary security programs in the Bureau of Diplomatic Security (DS) and the Bureau of Overseas Buildings Operations (OBO). If confirmed, I will regularly review the effectiveness of our security programs and explore new ideas to keep our missions safe as we approach the transition in Afghanistan. If confirmed, the security of our people will be one of my top priorities. I look forward to working with you on this important issue.

RESPONSES OF DR. SARAH SEWALL TO QUESTIONS SUBMITTED
BY SENATOR BOB CORKER

Question. As Undersecretary, you would oversee the newly created Conflict & Stabilization Operations Bureau (CSO), which is currently led by the founding director of USAID's Office of Transition Initiatives (OTI).

◆ With both CSO and OTI working in the same places (such as in Syria), can you please describe how the authorities, missions, and methodologies of CSO and OTI differ?

Answer. The QDDR highlighted the need for greater coherence and effectiveness in the way in which State and USAID approach conflict and crisis countries. CSO and OTI have many of the same authorities, favor rapid response, and often work together in priority places across the conflict spectrum. However, CSO was created as a Bureau within the State Department with the unique mission of ensuring that conflict analysis and operations feed directly into policy discussions and drive more coherent, effective U.S. Government policies and strategy at the highest level. The Assistant Secretary of CSO is named the Secretary's Senior Advisor on Conflict, and CSO personnel integrate operational experience and analysis into diplomacy.

CSO focuses U.S. Government attention on priority cases (Kenya, Burma, Syria, Honduras, Nigeria, and Bangladesh); leads interagency analytic processes (roundtables, budget reviews, scenarios, meta-data crunches, joint assessments, etc.); directs funds to the element of the U.S. Government that is best positioned to implement programming; and expands partnerships with other donors on behalf of shared conflict mitigation objectives. For example, in Syria, CSO works with the United Kingdom, Denmark, Canada, and others to pool resources to advance common goals. I am told that CSO is also redesigning a civilian surge, conflict expertise, and expeditionary capacity in the U.S. Government through a new Civilian Response network.

I understand that another major difference between CSO and OTI is that CSO has a greater opportunity to integrate players and funding as it brings together policy and implementation. For instance, CSO convenes experts and interagency representatives to ensure an integrated approach to conflict assessments and strategies and to provide Posts with early options for preventive action.

Question. There is a real tension in our foreign policy between advancing democracy and human rights on the one hand, and advancing our strict national interest on the other hand. Although they are not always different or in conflict, the tension is something with which we as a democracy struggle. Those tensions are really

manifest in your portfolio, where you have democracy, human rights, and stabilization as part of your core responsibility, and at the same time counterterrorism and antinarcotics.

◆ How do you effectively manage that tension?

Answer. Secretary Kerry has made it clear that the prevention and mitigation of conflict and the promotion of democracy and human rights go hand in hand with countering transnational crime and terrorism. Pursuing these goals in tandem is not just the right thing to do—it is the smart thing to do. It is both an expression of our core values, and an imperative for securing our national interests.

Bringing together the diplomatic and programmatic capabilities of these diverse bureaus and offices strengthens our effort to support durable and sustainable security and justice sector capacities that are more likely to protect individuals from violence, oppression, and discrimination. Promoting better governance and accountability of security forces is an essential cornerstone of promoting our interests. It may sometimes be a challenge to help our partners understand this nexus of values and interests, and certainly a challenge to achieve it, but it is this combination that best characterizes the uniqueness and power of American foreign policy.

The advancement of human rights and democratic principles around the world is essential to long-term U.S. strategic and economic interests, including the goals and objectives of all the bureaus in what will be my portfolio, if confirmed. The United States should continue to emphasize rule of law, human rights, effective and accountable governance institutions, and strong and engaged civil society even as it engages in other programs and policies to advance U.S. interests.

Question. The Under Secretary of State for Civilian Security, Democracy and Human Rights oversees eight bureaus and offices with budgets of some \$4 billion in program funds (as you note in your opening statement).

◆ What is your understanding of the authority you would have to oversee these bureaus and how would you plan to use that authority to ensure accountability in the bureaus and offices that fall under your jurisdiction?

Answer. If confirmed, one of my top priorities will be to enhance coordination among and effectiveness of the eight bureaus and offices that fall under the authority of the Under Secretary for Civilian Security, Democracy, and Human Rights as we develop and implement our policies and programs in support of U.S. interests. This is one of the important objectives of the Quadrennial Diplomacy and Development Review (QDDR) of 2010, pursuant to which the State Department realigned the responsibilities of the Under Secretary for Civilian Security, Democracy, and Human Rights, and it is a mission that Secretary Kerry fully supports. As a result of the realignment, the Under Secretary oversees eight bureaus and offices and has responsibility for coordination, effective use of resources, and accountability for outcomes. If confirmed, I would use the Under Secretary's authority and role as I work to fulfill the mandate outlined in the QDDR and assigned by Secretary Kerry.

Question. What aspects of your background would you draw upon in overseeing State's International Narcotics and Law Enforcement Bureau (INL) and Bureau for Counterterrorism (CT)? Looking to the future, what do you see as the most important priorities for INL and CT?

Answer. Understanding how national security institutions effectively deliver policy outcomes and do so efficiently and ethically has been a key focus of my work as an academic, foreign policy advisor and public servant. From my experiences serving as the first Deputy Assistant Secretary for Peacekeeping at the Department of Defense, to my position as Director of the 2008 Transition National Security Agencies review, to my role as a contributor to military doctrine for counterinsurgency and responding to mass atrocity, I have drawn valuable lessons for leading change in large, complex national security organizations. I am also fortunate to have had experience working in areas of both "hard" and "soft" power, serving as Director of Harvard's Carr Center for Human Rights Policy and helping pioneer the field of civilian protection in armed conflict. I believe these experiences will help me strengthen the State Department's programs and policies to enhance American values and U.S. national security interests.

As you know, the State Department Bureaus of INL and CT play a critical role in combating illegal drugs, transnational crime and terror while promoting rule of law and countering violent extremism. I understand that INL has transformed into a leading tool to advance and promote respect for the rule of law on a global scale, helping states grow institutions that protect the rights of their citizens while promoting their security. The CT Bureau's work to counter terrorism, including building the capacity of our foreign partners and countering violent extremism to stem terrorist recruitment, complements the work of INL.

I am convinced of the importance of these U.S. efforts to help nations extend the reach of justice under the rule of law and become more effective partners in providing civilian security and international stability. If confirmed, I would work to strengthen these efforts and promote synergy between them and among all of the programs of the J Under Secretariat.

RESPONSES OF RICHARD STENGEL TO QUESTIONS SUBMITTED
BY SENATOR BOB CORKER

Question. The Department's Office of Inspector General (OIG) recently issued a report (see "Inspection of the Bureau of International Information Programs," ISP-I-13-28, May 2013), that was highly critical of major structural and functional problems with the Bureau of International Information Programs (IIP), which will be under your purview.

◆ Will you commit to implementing the recommendations of that OIG report?

Answer. I welcome the Office of the Inspector General's (OIG) report, which highlights a number of key issues in the Bureau of International Information Programs (IIP). I believe that it can give valuable guidance and be a helpful tool to new management. It is my understanding that IIP is responding to the OIG's recommendations. If confirmed, I will consider the inspection's structural and functional recommendations as part of an overall strategy to make our public diplomacy programs more effective. I believe that it is essential to closely link IIP's work to that of the other public diplomacy bureaus and the rest of the Department. Our American Spaces, speakers programs, social media platforms, and information initiatives should complement and provide context for the work we do with the press. Should I be confirmed, I will draw on the OIG inspection, employ industry best practices I used at TIME, and work with public diplomacy's new leadership team to review the OIG findings to enhance IIP's contributions to our diplomacy efforts.

Question. Part of your purview as Under Secretary will be supervising the Center for Strategic Counterterrorism Communications (CSCC), which, according to the Department's Web site, "coordinate[s], orient[s], and inform[s] government-wide foreign communications activities targeted against terrorism and violent extremism, particularly al-Qaeda and its affiliates and adherents."

◆ Can you explain how robust or extensive CSCC's operations are in comparison to the other components under your supervision? If not robust or extensive, do you intend to expand the CSCC's reach, scope, or efforts?

Answer. The Center for Strategic Counterterrorism Communications (CSCC) was established in 2011 and is relatively modest in terms of budget and staff compared to some of the other public diplomacy elements I will supervise, if confirmed. Nevertheless, the scope and effectiveness of CSCC's efforts is notably robust. Everyday CSCC counters violent extremist messaging in four critical languages in digital environments and in countries where al-Qaeda and its affiliates are active. Based on my State Department briefings on CSCC activities, I am impressed by CSCC's innovative and unique approach. CSCC is correcting misinformation and contesting the space occupied by violent extremist messaging—and they are doing it in real time. CSCC will continue to magnify its efforts through close cooperation with other parts of the Department and the interagency. Such collaboration is expanding CSCC's scope and effort in cost effective ways. If confirmed, I will review CSCC operations to see how they can be most effective and fulfill its important mission.

Question. The committee is aware that the lack of attendance of the Department's designee to the BBG board has, at times, prevented a quorum and thus prevented the BBG from functioning properly.

◆ In your capacity as a BBG governor, will you attend all board meetings, or ensure a substitute's attendance at times when you are unable to attend?

Answer. Our U.S. Government-supported international media operations are an important element of our foreign policy. Their mission is a critical part of achieving our national security objectives. If confirmed, I will faithfully represent Secretary Kerry on the Broadcasting Board of Governors and be an active participant in the Board's meetings—as well as deliberations between meetings—to ensure that the State Department is at the table. I also commit to doing all I can to ensure a substitute when at times I may be unable to attend.

Question. In your dual capacity as Under Secretary and BBG governor, will you commit to working closely with the committee and other stakeholders to improve

the effectiveness and operations of BBG and the broader U.S. international broadcasting effort?

Answer. More than ever, we need the ability to communicate and engage with nations and communities around the world. The BBG is an essential component for accomplishing this important task. If confirmed, I will work with the committee and other stakeholders to ensure that our international media operations have the leadership, structure, and clear vision to fulfill their mission on behalf of the American people.

RESPONSES OF HON. HEATHER A. HIGGINBOTTOM TO QUESTIONS SUBMITTED
BY SENATOR MARCO RUBIO

Question. On January 7, 2013, the State Department's International Security Advisory Board recommended to "implement a comprehensive monitoring and evaluation process for its security capacity-building programs, measuring effectiveness against defined goals in terms of basic national objectives, not just value for money or inputs provided." In April 2013, the President issued Security Sector Assistance Presidential Policy Directive 23 (PPD 23) pledging to "inform policy with rigorous analysis, assessments, and evaluations."

- ◆ Please provide a detailed explanation of the measures taken thus far by the administration to implement rigorous analysis, assessments, and evaluations of U.S. security sector assistance in accordance to PPD23.
- ◆ Please provide a detailed explanation of the requirements included in S. 1271, the Foreign Aid Transparency and Accountability Act of 2013, that the administration considers similar to their ongoing efforts to monitor and evaluate security sector assistance in accordance to PPD 23.
- ◆ Please provide a detailed explanation of the requirements included in S. 1271 that the administration considers dissimilar to their ongoing efforts to monitor and evaluate security sector assistance in accordance to PPD 23.

Answer. Over the last several years, the administration has improved monitoring and evaluation, with important work ongoing, and I look forward to building on these efforts. If confirmed, I am committed to improving the way the Department conducts monitoring and evaluation (M&E), as well as linking that information to the budgeting and planning process and enhancing transparency of all foreign assistance.

Monitoring and evaluation for U.S. security sector assistance (SSA) plays an essential role in ensuring the impact, effectiveness, relevance, and efficiency of SSA policies, strategies, programs, and activities. M&E also provide SSA policymakers, planners, program managers and implementers the analytical tools necessary to make effective decisions and resource allocations; set and manage expectations; maximize outcomes; report results; and adapt programs and approaches as necessary. These efforts contemplate the use of best practices, and the application of standards for regularized and integrated monitoring across SSA agencies. Monitoring focuses on whether desired results are occurring during implementation, and confirms whether implementation is on track; whereas evaluation (the systematic collection and analysis of information about the characteristics and outcomes) documents the achievement of outcomes and results at the end of an intervention and, in some cases, the value of continuing the investment.

PPD 23 sets robust common standards and expectations for assessing security sector assistance requirements, in addition to investing in M&E of security sector assistance programs. It provides that such standards will be aided by guidelines for measurable security sector assistance objectives, appropriate data collection of the impacts and results of security sector assistance programs, and improved efforts to inform decisionmaking processes with data on what works and what does not work through impact evaluations, when permissible. Such standards and data collection will take into account the varying security and information environments where U.S. programs operate.

I am supportive of the goals of S. 1271 and understand that conversations between your staff and the administration are ongoing. I am confident that we can find a way to advance our shared goals about strengthening monitoring, evaluation, and transparency. If confirmed, I look forward to helping evaluate any corresponding legislation as it may move through the legislative process in light of the very robust security sector assistance measures envisioned and being undertaken by the administration.

I understand that the administration's M&E processes being planned pursuant to PPD 23 are robust and address the provisions for M&E set out generally in S. 1271

for security sector assistance. For example, the administration will introduce common standards and expectations for assessing security sector assistance, in addition to investing in M&E of security sector assistance programs. Such standards will be aided by guidelines for measurable security sector assistance objectives, appropriate data collection on the impacts and results of security sector assistance programs, and improved efforts to inform decisionmaking processes with data on what works and what does not work through impact evaluations, when permissible. Such standards and data collection will take into account the varying security and information environments where U.S. programs operate.

It is my understanding that interagency guidance has been prepared to ensure that the M&E measures contemplated by the President's policy for SSA are realized. And, if confirmed, I will ensure the Department continues to provide its leadership toward oversight of SSA.

RESPONSES OF HON. HEATHER A. HIGGINBOTTOM TO QUESTIONS SUBMITTED
BY SENATOR EDWARD J. MARKEY

Question. What criteria do you believe the United States should use to determine whether to give aid to Egypt? Under what circumstances, if any, do you see the current aid suspension being lifted?

Answer. As the President and Secretary have said, we are deeply committed to the U.S.-Egypt relationship, and we want to help Egypt's transition succeed.

The administration is reviewing the October 9 decision, informed by credible progress on the interim government's political roadmap toward a sustainable, inclusive, and peaceful transition to democracy. As events develop in Egypt, we will be watching not only progress along the government's roadmap, but other aspects of the transition. We do not believe that having specific, public benchmarks for our review would contribute to our ability to influence the course of the transition.

In our recent conversations with the Egyptian Government, they have reiterated their commitment to completing their political roadmap. Maintaining flexibility to respond to, and influence, changing events on the ground is of critical importance in allowing us to advance our national interests. That is particularly true in our assistance relationship.

Question. Do you agree that Egypt's adherence to its peace treaty obligations with Israel is a fundamental criterion for U.S. support?

Answer. The United States has an unshakeable commitment to Israel's security. Adherence to Peace Treaty obligations is a fundamental to U.S. support for Egypt, and Egypt is meeting its obligations under the treaty.

U.S. assistance to Egypt will continue to advance peace and security between Egypt and Israel. The United States will work with Egypt's interim government to provide assistance that helps Egypt secure its borders and the Sinai; prevents the flow of weapons into Gaza that threaten Israel's vital security objectives; and counters extremism, terrorism, and proliferation.

Question. How should the United States balance our support for democratic values and respect for elected governments, with the reality that the Egyptian military has been a close ally of the U.S. and is playing a useful role in fighting radical Islamists in the Sinai and in Gaza? More broadly, how do we balance democracy vs. stability?

Answer. Egypt is a vital partner, and our longstanding relationship is predicated on our shared interests in a stable, democratic, and prosperous Egypt, securing regional peace and security, and countering extremism and terrorism. As President Obama said at the U.N. General Assembly, the United States will maintain a constructive relationship with the interim Egyptian Government that promotes core interests. Our relationship with the Egyptian Armed Forces has contributed to the implementation of the Peace Treaty with Israel and in other aspects of our cooperation.

The United States will at times work with governments that do not meet, at least in our view, the highest international expectations, but who work with us on our core interests. Nevertheless, we will not stop asserting principles that are consistent with our democratic ideals and our values. We are seeking to encourage a more democratic transition in Egypt. In fact, as Secretary Kerry emphasized during his November 3 visit to Cairo, progress along a more democratic transition can contribute to greater stability and calm, and thereby to economic growth and badly needed new foreign and domestic investment.

**NOMINATIONS DANA J. HYDE AND
MARK E. LOPES**

TUESDAY, NOVEMBER 19, 2013

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

Dana J. Hyde, of Maryland, to be Chief Executive Officer, Millennium Challenge Corporation
Mark E. Lopes, of Arizona, to be United States Executive Director of the Inter-American Development Bank for a Term of Three Years

The committee met, pursuant to notice, at 3:35 p.m. in Room SD-419, Dirksen Senate Office Building, Hon. Edward Markey, chairman of the committee, presiding.

Present: Senators Markey and Barrasso.

**OPENING STATEMENT OF HON. EDWARD J. MARKEY, U.S.
SENATOR FROM MASSACHUSETTS**

Senator MARKEY. Good afternoon and welcome to today's hearing.

We are joined today by two highly qualified individuals who have been nominated by the President for leadership positions in two important organizations promoting international economic development.

The first is Dana Hyde, who has been nominated for the position of Chief Executive Officer of the Millennium Challenge Corporation, the Federal agency created almost 10 years ago to bring innovative approaches to the delivery of U.S. foreign aid. Ms. Hyde brings extensive experience in Government, including at the State Department where she served as senior advisor to the Deputy Secretary for Management and Resources and at the White House where she currently serves as Associate Director of the Office of Management Budget. I believe her background will enable her to bring strong leadership to an organization that has approximately 300 staff and a budget of nearly \$900 million.

We are also joined by Mark Lopes who has been nominated for the position of United States Executive Director to the Inter-American Development Bank. Mr. Lopes has a long and impressive track record of experience working on economic development in Latin America from his service as a Peace Corps Volunteer in Paraguay to his current position as Deputy Assistant Administrator for Latin

America and the Caribbean at the U.S. Agency for International Development. This regional expertise will serve him well if he is confirmed.

Both the Millennium Challenge Corporation and the Inter-American Development Bank are at the cutting edge of our efforts to alleviate poverty and promote sustainable economic growth around the world. The MCC uses a competitive selection process to decide where to devote its resources. To qualify, developing countries interested in receiving MCC assistance must perform well on a broad set of metrics. They need to demonstrate commitments to the rule of law, to investing in the health and well-being of their population, and to fostering entrepreneurship. Since its founding, the agency has entered into 5-year compact agreements with 25 countries, and I understand the MCC's high standards have encouraged some low-performing countries to take steps on their own to improve the quality of their governance in hopes of qualifying for MCC assistance, a very positive and direct result of the agency's policy.

As a multilateral bank, the IDB follows a different model providing loans, guarantees, and technical assistance to governments and companies across Latin America and the Caribbean. The bank plays a major role in the 26 countries that are borrowing members. In Haiti, for example, the IDB has pledged \$2.2 billion in grant assistance by 2020. Active U.S. participation in the bank's operations and decisionmaking is critical to making it function, as we are the largest contributor and voting shareholder among the member countries.

We have two really great nominees here, and I am looking forward to hearing their testimony.

Let me turn and recognize the Senator from Wyoming.

**OPENING STATEMENT OF HON. JOHN BARRASSO,
U.S. SENATOR FROM WYOMING**

Senator BARRASSO. Thank you very much, Mr. Chairman.

The Senate Committee on Foreign Relations is meeting today to consider these two very important nominations, and I want to welcome both of you, congratulate both of you on your nominations and also want to extend a warm welcome to all of your friends and your family who are here. And if you would like, during the introductions you may want to introduce some of these—especially the young guests who are here in the audience.

Mr. Chairman, both the Millennium Challenge Corporation and the Inter-American Development Bank can play an important role in promoting international development. Should both of you serve our Nation in these important positions, I think it is important that each of you provide strong stewardship over American taxpayer dollars, demonstrate professionalism and good judgment, and vigorously work to advance the priorities of the United States. I hope both of you will lay out a vision and the goals that you have for your position and what your plan will be in achieving those goals consistent with your vision.

So I look forward to hearing the testimony, and thank you, Mr. Chairman.

Senator MARKEY. And now, Ms. Hyde, whenever you feel comfortable, please begin.

STATEMENT OF DANA J. HYDE, OF MARYLAND, TO BE CHIEF EXECUTIVE OFFICER, MILLENNIUM CHALLENGE CORPORATION

Ms. HYDE. Thank you. Chairman Markey, Ranking Member Barrasso, members of the Senate Foreign Relations Committee, thank you for the opportunity to address you today. It is an honor to be here as President Obama's nominee to serve as the next Chief Executive Officer of the Millennium Challenge Corporation.

I spent my early childhood in a town of 2,000 people in eastern Oregon, hours away from a city of any size. So I am particularly humbled to sit before you as the President's nominee to lead a groundbreaking agency working to fight global poverty on behalf of the United States. It is a dream come true.

I hope you will not mind if I take a moment to thank my family here today: my husband Jonathan; our two wonderful sons, Judah and Elijah; and our very beloved Esme. I also want to thank my mother Jayne who could not be here today and my grandmother Lucia, who is with us always. While I could never thank them enough, at least today I can enter my gratitude into the record. So thank you, especially to my three guys.

When I was working at the State Department, I saw up close two initiatives started by President Bush and continued and expanded by President Obama: PEPFAR and the Millennium Challenge Corporation. I saw how they transformed not only people's lives but entire communities, even entire countries. PEPFAR, of course, has saved millions of lives and helped build the foundation for entire health systems. And MCC broke new ground in America's fight against global poverty. It was based on a model of development that moved beyond aid to investment, working in true partnership with countries to create sustainable, broad-based economic growth. That model of country-led, results-oriented development has been increasingly adopted across our Government. And that is a great thing for the countries we work with and for the American taxpayers who make our work possible.

I have seen MCC in practice. I have visited MCC teams in Tanzania, working to spur economic activity through better roads and reliable electricity both on the mainland and Zanzibar, and in Mozambique, working to improve water, sanitation, and agricultural productivity. The people running the programs are not Americans. They are Tanzanians. They are Mozambicans. They are deeply invested whether in terms of their own funding or in terms of time and effort. And hard assets like roads, electrical grids, and water pumps are linked to policy and institutional reforms necessary to sustain those investments. It is not hard to see why these programs get results. Country ownership makes a difference. It is amazing to see what challenges these countries are willing to tackle to build and maintain their partnership with MCC.

We always say that our goal in development assistance is to put ourselves out of business, by helping our partners build their capacity so eventually they do not need our help anymore. That is exactly what MCC and its partner countries are doing together.

So as someone who cares deeply about development as a vital tool of American foreign policy, I am grateful for MCC and for the opportunity to be considered to lead this institution. MCC is a crit-

ical partner in our total development efforts, together with the important work of USAID, the Overseas Private Investment Corporation, the U.S. Trade and Development Agency, and the Treasury Department, which directs U.S. contributions to multilateral development banks.

I want to see MCC continue to excel. For almost 10 years, it has been innovative, rigorous, and committed to excellence. I want it to keep setting the bar higher for the next 10 years. It must continue to be an agency that is open to new ideas, that measures its results transparently, and that uses those results, good or bad, to recalibrate its strategies and improve.

As you know, in addition to my very rewarding years at the State Department, I have also served at the Office of Management and Budget where I had the privilege of overseeing the budgets of six Cabinet agencies. I believe in data-driven, cost-effective policies. I want the American people to always get their money's worth for anything their Government does on their behalf. At MCC, that means calculating economic rates of return to determine what projects will deliver the biggest bang for the buck. It means rigorous measurement and analysis to ensure performance and results, and it means making the results publicly available so the American people and Congress can decide if their money was well spent and so others can learn from MCC's experience.

And as someone who served on the staff of the 9/11 Commission, I believe we should be using every tool in our toolbox to keep our Nation safe. Helping economic opportunity appear in places where there is little to be found, helping countries create the conditions for their citizens to start businesses, get new skills, and create jobs is critical to regional and global stability. As the greatest economy in the world and as a Nation that celebrates entrepreneurship and human ingenuity, the United States should continue to be a leader in advancing opportunity and prosperity worldwide.

So thank you again for considering my nomination. If confirmed, I will do my absolute best to serve with honor and integrity in pursuit of our national interests, in keeping with our national values, and on behalf of the American people.

Thank you.

[The prepared statement of Ms. Hyde follows:]

PREPARED STATEMENT OF DANA J. HYDE

Chairman Markey, Ranking Member Barrasso, members of the Senate Foreign Relations Committee—thank you for the opportunity to address you today.

It is an honor to be here as President Obama's nominee to serve as the next Chief Executive Officer of the Millennium Challenge Corporation.

I spent my early childhood in a town of 2,000 people in eastern Oregon—hours away from a city of any size. So I am particularly humbled to sit before you as the President's nominee to lead a groundbreaking agency working to fight global poverty on behalf of the United States. It is a dream come true.

I hope you won't mind if I take a moment to thank my family here today: my husband, Jonathan, our two wonderful sons, Judah and Elijah, and our very beloved Esmeralda. I also want to thank my mother, Jayne, who could not be here today, and my grandmother Lucia, who is with me always. While I could never thank them enough, at least today I can enter my gratitude into the record. So thank you, especially to my three guys.

When I was working at the State Department, I saw up close two initiatives started by President Bush and continued and expanded by President Obama—PEPFAR and the Millennium Challenge Corporation. I saw how they transformed not only people's lives but entire communities—even entire countries. PEPFAR, of course,

has saved millions of lives and helped build the foundation for entire health systems. And MCC broke new ground in America's fight against global poverty. It was based on a model of development that moved beyond aid to investment—working in true partnership with countries to create sustainable, broad-based economic growth. That model of country-led, results-oriented development has been increasingly adopted across our government. And that's a great thing—for the countries we work with and for the American taxpayers who make our work possible.

I've seen MCC in practice. I've visited MCC teams in Tanzania—working to spur economic activity through better roads and reliable electricity, both on the mainland and Zanzibar—and in Mozambique, working to improve water, sanitation, and agricultural productivity. The people running the programs aren't Americans—they are Tanzanians. They are Mozambicans. They are deeply invested, whether in terms of their own funding or in terms of time and effort. And hard assets like roads, electrical grids, and water pumps are linked to policy and institutional reforms necessary to sustain those investments. It's not hard to see why these programs get results. Country ownership makes a difference. It is amazing to see what challenges these countries are willing to tackle to build and maintain their partnership with MCC. We always say that our goal in development assistance is to put ourselves out of business, by helping our partners build their capacity so eventually they don't need our help anymore. That's exactly what MCC and its partner countries are doing together.

So, as someone who cares deeply about development as a vital tool of American foreign policy, I am grateful for MCC and for the opportunity to be considered to lead this institution. MCC is a critical partner in our total development efforts—together with the important work of USAID, the Overseas Private Investment Corporation, the U.S. Trade and Development Agency, and the Treasury Department, which directs U.S. contributions to multilateral development banks. I want to see MCC continue to excel. For almost 10 years, it has been innovative, rigorous and committed to excellence. I want it to keep setting the bar higher for the next 10 years. It must continue to be an agency that is open to new ideas . . . that measures its results transparently . . . and that uses those results, good or bad, to recalibrate its strategies and improve.

As you know, in addition to my very rewarding years at the State Department, I've also served at the Office of Management and Budget, where I had the privilege of overseeing the budgets of six cabinet agencies. I believe in data-driven, cost-effective policies. I want the American people to always get their money's worth from anything their government does on their behalf. At MCC, that means calculating economic rates of return to determine what projects will deliver the biggest bang for the buck; it means rigorous measurement and analysis to ensure performance and results; and it means making the results publicly available so the American people and Congress can decide if their money was well spent, and so others can learn from MCC's experience.

And as someone who served on the staff of the 9/11 Commission, I believe we should be using every tool in our toolbox to keep our Nation safe. Helping economic opportunity appear in places where there is little to be found—helping countries create the conditions for their citizens to start businesses, get new skills, and create jobs—is critical to regional and global stability. As the greatest economy in the world, and as a nation that celebrates entrepreneurship and human ingenuity, the United States should continue to be a leader in advancing opportunity and prosperity worldwide.

So thank you again for considering my nomination. If confirmed, I'll do my absolute best to serve with honor and integrity, in pursuit of our national interests, in keeping with our national values, on behalf of the American people.

Thank you. I'm happy to answer your questions.

Senator MARKEY. Thank you very much.

And now, Mr. Lopes, whenever you are ready, please begin.

STATEMENT OF MARK E. LOPES, OF ARIZONA, TO BE UNITED STATES EXECUTIVE DIRECTOR OF THE INTER-AMERICAN DEVELOPMENT BANK FOR A TERM OF 3 YEARS

Mr. LOPES. Thank you, Chairman Markey, Ranking Member Barrasso, and distinguished members of the committee, for the opportunity to appear before you today. It is an honor to have been nominated by President Obama for the position of United States

Executive Director of the Inter-American Development Bank, and I look forward to answering your questions.

I am particularly honored to be considered for confirmation by this committee. Prior to my current appointment as Deputy Assistant Administrator of the Bureau for Latin America and the Caribbean at the U.S. Agency for International Development, I served as Senator Menendez's staff representative on the Senate Foreign Relations Committee. That experience taught me the critical role of the U.S. Congress in foreign affairs. This committee has a wellspring of talent and expertise that has been an invaluable resource for me over many years, and if confirmed, I intend to continue to seek guidance from you and your staff.

I am joined today by my parents, Pam and Phil Lopes, sitting directly behind me. In fact, it was my mother's birthday yesterday, so I need to recognize her and her unwavering support for me over many years. My brother, Tobin, sister-in-law Brenda; and niece and nephew, Zack and Ezri, unfortunately were not able to be here today, but they are watching through the Internet. I am grateful for their support, encouragement, and sense of humor, all of which were instrumental to my being able to appear before you today.

My parents planted the seed of public service through their work in the Peace Corps. My father was part of the first group of Volunteers to travel to Colombia in 1961, and my mother served shortly thereafter in Brazil. As a family, we lived in Ecuador and Brazil when my parents were on the staff of the Peace Corps. And it was the memories of these childhood years that embedded in me the spirit of international adventure and public service. And after nearly a decade of studying music, I too transitioned to an internationally focused career and served as a Peace Corps Volunteer in rural Paraguay.

Through graduate school and in the decade since, my work has focused on foreign policy and international development primarily, but not limited to, the Western Hemisphere. The work has allowed me to travel both throughout the region and around the world, and from health clinics in rural Paraguay to emergency feeding centers in Darfur, I have seen the good work of the United States firsthand.

If confirmed, I will bring to this position not only a clear-eyed understanding of the challenges of economic growth and development, but also a keen recognition of its value, both for its importance in advancing U.S. interests and for advancing human rights and fundamental freedoms.

The Latin America and Caribbean region has improved significantly since my father landed in Colombia over 50 years ago. In addition to improvements in health and increased access to education, many economies are now global powerhouses.

Today the United States exports over \$500 billion in goods and services annually to the region, which is an amount equivalent to our exports to Europe. As of 2011, U.S. investors put over \$800 billion into the region. And although there has been progress overall, U.S. engagement is still the best way to continue to build market-based economies in the most strategic and responsible way possible and to grow U.S. business opportunities. The bank is increasingly working with the private sector, and if confirmed, I would advocate

for sustaining a proactive approach in this area. In addition, I would use my voice and my vote to help the bank identify where it is uniquely capable and deepen its work in those areas. Lastly, I would encourage the bank to support new and emerging donors in the region.

My grandfather, Ed Lopes, from whom I get my middle name, was the son of Portuguese immigrants in the San Joaquin Valley of California. With a seventh grade education, about 8 acres of land, and only nine fingers, he built a small business there in the 1930s. He was a truck driver and a welder, and he was able to provide for his family and send his kids to school. My father was the first one in his family to go to college.

The opportunities that my grandfather was able to create for his family are the same opportunities the United States is advancing through the work of the Inter-American Development Bank. If confirmed, I will be honored to serve President Obama in this role and help make possible for others what was made possible for me.

Thank you.

[The prepared statement of Mr. Lopes follows:]

PREPARED STATEMENT OF MARK E. LOPES

Thank you, Chairman Markey, Ranking Member Barrasso, and distinguished members of the committee, for the opportunity to appear before you today. It is an honor to have been nominated by President Obama for the position of United States Executive Director of the Inter-American Development Bank, and I look forward to answering your questions.

I am particularly honored to be considered for confirmation by this committee. Prior to my current appointment as Deputy Assistant Administrator of the Bureau for Latin America and the Caribbean at the U.S. Agency for International Development, I served as Senator Menendez's staff representative on the Senate Foreign Relations Committee. That experience taught me the critical role of the U.S. Congress in foreign affairs. This committee has a wellspring of talent and expertise that has been an invaluable resource for me over many years. If confirmed, I intend to continue to seek guidance from you and your staff.

I am joined today by my parents Pam and Phil Lopes, and many friends and colleagues, as well as my brother Tobin, sister-in-law Brenda, and niece and nephew, Zack and Ezri, who unfortunately were not able to be here today. I am grateful for their support, encouragement, and sense of humor—all of which were instrumental to my being able to appear before you today.

My parents planted the seed of public service through their work in the Peace Corps. My father was part of the first group of volunteers to travel to Colombia in 1961, and my mother served shortly thereafter in Brazil. As a family, we lived in Ecuador and Brazil when my parents were on the staff of the Peace Corps. It was the memories of these childhood years that embedded in me the spirit of international adventure and public service.

After nearly a decade studying music, I too transitioned to an internationally focused career and served as a Peace Corps Volunteer in rural Paraguay. Through graduate school and in the decade since, my work has focused on foreign policy and international development, primarily in the Western Hemisphere. This work has allowed me to travel throughout the region and around the world. From health clinics in rural Paraguay to emergency feeding centers in Darfur, I have seen the good work of the United States up close. If confirmed, I will bring to this position not only a clear-eyed understanding of the challenges of economic growth and development, but also a keen recognition of its value—both for its importance in advancing U.S. interests and for advancing human rights and fundamental freedoms.

The Latin America and Caribbean region has improved significantly since my father landed in Colombia over 50 years ago. In addition to improvements in health and increased access to education, many economies are now global powerhouses. Today, the United States exports over \$500 billion in goods and services annually to the region, which is an amount equivalent to our exports to Europe. As of 2011, U.S. investors put over \$800 billion into the region. Although there has been progress overall, U.S. engagement is still the best way to continue to build market-

based economies in the most strategic and responsible way possible and to grow U.S. business opportunities. The Bank is increasingly working with the private sector and, if confirmed, I would advocate for sustaining a proactive approach in this area. In addition, I would use my voice and vote to help the Bank identify where it is uniquely capable and deepen its work in those areas. Lastly, I would encourage the Bank to support new and emerging donors in the region.

My grandfather, Ed Lopes, from whom I get my middle name, was the son of Portuguese immigrants in the San Joaquin Valley of California. With a seventh grade education, eight acres of land, and only nine fingers, he built a small business there in the 1930s. He was a truck driver and a welder, and he was able to provide for his family and send his kids to school. My father was the first one in his family to go to college. The opportunities that my grandfather was able to create for his family are the same opportunities the United States is advancing through the work of the Inter-American Development Bank. If confirmed, I will be honored to serve President Obama in this role and help make possible for others what was made possible for me.

I am happy to answer any questions you might have.

Senator MARKEY. So we thank both of you.

Let me recognize myself for a round of questions.

Ms. Hyde, let me ask you this. It is my understanding that the Publish What You Fund Coalition recently rated the Millennium Challenge Corporation the No. 1 agency in the world on aid transparency, ahead of such venerable institutions as the World Bank and the Gates Foundation and UNICEF, which is a very impressive record, given the fact that it was rated No. 9 just 1 year ago. So to what do you attribute that? How do we keep it going, and how do we transfer that transparency to all of these other venerable institutions?

Ms. HYDE. Thank you, Senator. I appreciate the question.

It is a tremendous accomplishment of the agency to have that accolade bestowed upon it, and it is a tremendous challenge for us to keep ourselves there. If confirmed, I am committed to maintaining the first slot.

I will say that U.S. Government agencies overall moved up in their rankings, which is important and good for the U.S. Government and transparency overall.

In attributing the cause, my understanding is that the MCC, which has been such a leader within the U.S. Government and the world in transparency, has broken new ground in terms of the format of the information that is now made available in terms of being machine readable and accessible. And that sort of both technological and formatting change was very compelling to the organization and understandably so.

MCC has also worked closely with the State Department and with other agencies—I know this from my time at the State Department—in creating the Foreign Assistance Dashboard, which is the mechanism by which the U.S. Government development agencies publish their results.

So if confirmed, I look forward to continuing to lead in this area with MCC and to working with other Government agencies.

Senator MARKEY. Great. Yes, I think that is a good standard. We can have the Millennium Transparency Challenge to all the other agencies year after year as you maintain No. 1 in the world in that area. That would be great.

Ms. HYDE. Everyone is making progress I think.

Senator MARKEY. I understand that, but the key for you is to be No. 1 looking over your shoulder in the rear view mirror at No. 2,

3, 4, 5 as they move around. But the higher the standard you set is the better it is for all the rest of them because they are going to respond to the challenge.

And what parts of MCC's approach to economic development in your opinion have been most successful? What would you pinpoint as one or two things that you think stand out that differentiate it?

Ms. HYDE. The data-driven, rigorous, quantitative analysis that underlies selection and compact development, I think, is one of the most compelling features of the MCC. One of the most exciting things we are seeing in the MCC is that it is driving standards and reform and incentives in developing countries across the globe. So you have countries that are changing their laws, reforming their institutions to attain eligibility. That is a reflection of the scorecard and the eligibility criteria. It influences not just those who actually receive the aid but those who are striving to get there. And I think that incentive effect, which is called the "MCC effect" and has recently been documented in a study done by the College of William and Mary, is one of the most exciting attributes of it in terms of results and something that I would want to ensure that we strengthen and continue.

Senator MARKEY. Do you have one or two countries that you can specifically point to that have been put under the umbrella of the MCC effect?

Ms. HYDE. Sure. Two examples come to mind.

Lesotho. They were able to, because of seeking an MCC compact, change their laws with respect to women and married women and whether they could own property, which had not been the case. And married women now can both take out loans and own property in the country.

In Niger, they put aside for a natural land resource a protected area that is about the size of Indiana, seeking to attain eligibility and move the dial on that particular indicator.

I think those are two really concrete and compelling examples of the MCC effect.

Senator MARKEY. And, Mr. Lopes, we have a number of different agencies providing economic assistance down in Latin America. What role can your agency play in ensuring that there is coordination, ensuring the effectiveness of all these agencies is maximized?

Mr. LOPES. Certainly. Thank you, Mr. Chairman.

The issue of coordination and ensuring that we are not duplicating our resources and making sure that respective comparative advantages are being utilized is one of the three areas that I think are critical from day one for me to look at, if confirmed for that position. I think in particular, given the modest amount of resources available for this kind of work, we need to be increasingly and exceptionally vigilant with respect to anything that might be duplicative or not as effective as it could be.

I think one of the challenges is much of this work is doing something good for someone. Yet, I think that is not high enough of a standard. We need to say is it doing as best as we can with the resources that we have, given the capacities of the respective institutions.

So I think there is a logic to the division of labor among the various institutions, but if confirmed, I would certainly look to ensure that that is being carried out in the most effective way possible.

Senator MARKEY. Great. Thank you.

The chair recognizes the Senator from Wyoming.

Senator BARRASSO. Thank you very much, Mr. Chairman.

Ms. Hyde, thanks so much for bringing the family. If you need any help with any of the questions, we will let these guys jump in.

I really appreciated the chairman talking about the No. 1 rating that has been achieved and your comments in your opening vision statement about being data-driven, cost-effective, focusing on performance, end results. As you mentioned in your opening statements, it is so these countries do not need any help anymore after the success.

There has been some discussion about second compacts. And I think there has been a lot more discussion about it than there has actually been multiple compacts to the same location. But it is possible it could become a more common occurrence. So I just wanted to visit with you a little bit about the fundamental concept of the Millennium Challenge Corporation providing targeted time-limited support if they say, "well, we are almost there but we just need to go again." Can you just address that a little bit?

Ms. HYDE. Thank you, Senator. I appreciate the question.

And I am certainly sensitive to the concern that MCC's engagement with countries would be somehow open-ended. I think one of the most compelling features, back to the chairman's question, of the model and the approach is the sense of purposeful limits that are put in place. MCC is narrowly focused, as you know, on achieving economic growth. It is rigorous in its selection criteria, and it has concrete and specific limits on the implementation of compacts. Indeed, I saw that in my travels to Tanzania. In briefings with the country team, it was striking the degree to which they were driving through that 5-year time horizon to meet the project deadlines. So I think they are very important.

At the same time, the core of the mandate is to achieve that economic growth and reduce poverty, and my understanding is that in certain circumstances, the board has decided that the opportunity for impact would best be achieved by a second investment, limited by the same terms that the first was. I would be happy to take a look at this issue—I understand there are differing views of it—if confirmed. But I think the limitations are still important and would be there in the second investment as well.

Senator BARRASSO. And that is the question to maintain this number one rating that has been achieved if there possibly should be tougher standards for countries being considered for that second compact, and that may be one of the things that you would consider taking a look at in terms of if there is a different level of evaluation, a higher standard that they are held to during the application process. And does one have to be completed before actually starting the second or is there an overlap? I just think these are areas for consideration as you go forward.

Ms. HYDE. Thank you. Absolutely. I think it is appropriate that there be certain expectations in a second compact. Indeed, what you mentioned, the performance and the partnership of the country

in the first compact would be at the top of my list. I think it is also appropriate to expect a contribution from the country in the second compact, and I know that there has been at least some of those. So I would be happy to take a look at that and also work with you and your colleagues on it.

Senator BARRASSO. Mr. Lopes, congratulations. I am happy that your parents were able to join you. As an orthopedic surgeon, I love the description of your grandfather. I think you said 8 acres and nine fingers.

And being from Wyoming, I just wanted to talk a little bit about one of the issues, which are energy issues which you will be facing. We understand that natural gas is an abundant and reliable source of energy. It has not been very long ago that the United States was actually expected to be a major liquefied natural gas importer because we did not have enough. Now, as a result of advances in discovering natural gas, it seems that we could potentially be an exporter. I support that. So I think we have this rare opportunity through our own energy resources to simultaneously help develop regional energy security, strengthen our own foreign policy, and create much needed jobs here at home. I know you are aware of that from your time on the Foreign Relations Committee. So I think our energy resources can increase our own economic competitiveness.

To bring this into the Inter-American Development Bank, they are currently examining the economic development role that natural gas exports, including LNG, can serve in the Western Hemisphere. Natural gas exports, as part of the broader energy strategy, can help nations in the Western Hemisphere lower energy cost to consumers and businesses and enhance competitiveness, to promote economic growth in the region while providing much needed jobs here at home.

So can you just maybe discuss the role that you would see as the Executive Director, what role you would be prepared to play in ensuring that this Inter-American Development Bank is engaged in advancing a diversified energy strategy that includes using some of our expanded access to regional and U.S. sources of natural gas, including liquefied natural gas? Because I think it is an important component of this.

Mr. LOPES. Sure. Well, thank you, Senator.

As you may know, the bank is heavily engaged on financing for the energy sector, and the environment and infrastructure sector makes up about 50 percent of the entire bank's lending. As a result of the general capital increase from 2010, that number is about \$11 billion of financing flowing throughout the region on an annual basis. So there are significant resources available, and the infrastructure and environment plays a significant role.

The President's climate action plan seeks to promote energy access, reliability, and clean energy because, as you mentioned, that is a key element of economic development in the region. That economic development allows for additional opportunities for U.S. businesses, U.S. exports. I would include liquefied natural gas in that as one of the alternatives that the United States could look to. So certainly I would be happy to look into that and work with you and your staff moving forward to ensure that the bank is look-

ing at the range of options that is appropriate, given the goals that the bank has as well and the countries themselves, of course.

Senator BARRASSO. Mr. Chairman, I just have one other line of questioning I would like to do, and it is something that you started on because you asked about coordination of activities.

I think at the time Secretary Geithner, Secretary of the Treasury—this is back a couple of years ago. He spoke at the Inter-American Development Bank's annual meeting, board of governors, and he expressed a need for a clear division of labor between the World Bank and then the regional development banks which he said reflects the relative strengths of each institution.

So I just wondered if you could kind of give me your view of that, perhaps what the Inter-American Development Bank's relative strengths are compared to other institutions, and how to better, as the chairman asked, coordinate activities.

Mr. LOPES. Certainly. Well, thank you. I could not agree with you more in terms of the need for that coordination. The World Bank has about half the amount of financing that the IDB has in the region. So it is a significant player, and certainly we need to make sure that that division of labor makes the most sense possible. That would be one of the key things that I would look at from day one, if confirmed. I understand there are some differences with respect to the relationships and the research base between the different institutions. That is something I would see as a priority to dig into on day one exactly sharing Secretary Lew's views, as well as the need to continue to refine not just within the multilateral development banks, but also with other elements of U.S. assistance that is going to the region, of which I am uniquely positioned I think, given my current role, to be able to understand what is currently happening in the U.S. Government.

Senator BARRASSO. Thank you.

Thank you, Mr. Chairman.

Senator MARKEY. So what I would like to do is wrap up by asking each of you to give us your 1-minute big picture summation of what it is you hope to accomplish, what you see your role is and your agency's role for our country and for the world that we live in going forward. And we will begin with you, Ms. Hyde.

Ms. HYDE. Thank you, Mr. Chairman.

So if I could create my own scorecard for myself and for the agency for the next 3 years, it would have three main indicators, at least, at the top.

The first would be to continue to ensure the results and the rigor and the data and the quantitative analysis that have been the hallmark of MCC, and that are likely to bring the economic growth that is at the core of the mission. For me, that would be the first principle of the job both in terms of investment decisions going forward and management.

Second, I think there is an opportunity for MCC to deepen its partnerships, partnerships with other donors, with parts of the government, but especially partnerships with the private sector. I think it is important to maximize and to sustain these investments, particularly in the infrastructure space and the energy sector and the like. And I would be looking for the opportunities to do so.

Third, as the MCC reaches its 10-year mark, I think it is appropriately time to take stock of what has worked, what has not worked, and where the agency should be going in the future. I look forward to leading that conversation, if confirmed. MCC has been a leader in the innovation space of development, and I would like to chart a course as to what that next horizon looks like for MCC.

Senator MARKEY. Great.

Mr. LOPES—Lopes.

Mr. LOPES. Thank you, Mr. Chairman.

Senator MARKEY. You would be a “Lopes” if you were in Fall River or New Bedford.

Mr. LOPES. Absolutely.

Senator MARKEY. Why is it it is “Lopes” in California but “Lopes”——

Mr. LOPES. There is an active debate even within my own family, Mr. Chairman. [Laughter.]

And I cannot comment on what the correct pronunciation of my name is.

Senator MARKEY. But you are the leading edge of what the Lopes part of the family can produce I just want to tell you.

So a 1-minute summation, please.

Mr. LOPES. Thank you.

Well, first, I mentioned the three areas in my opening statement, also working with the private sector, getting to that division of labor issue that I think is critically important, and then third, looking at emerging donors because one of the themes that we have seen in the region over the last 30 years is that there has been a lot of progress and there is a lot of capacity within other governments within the region to offer that capacity to other countries where there is a need. So it is not always necessary for an American official to go down and train on one sector or another. There are other resources within the region. I think we should build on those and look to serve as a broker rather than always carrying that work out ourselves. That helps us with relationships in the region. It also helps to work us out of a job, which is Dana’s and my ultimate goal.

I think also just the sense of value that the investments in the Inter-American Development Bank offer. We basically put in \$100 million a year. Immediately we get a \$200 million grant facility to Haiti over the next 10 years. So from day one, we double our money. In addition to that, we have the ability to leverage the other donors and bring in what amounts to ultimately \$11 billion worth of financing.

So immediately we have got a range of different tools. I would work with my U.S. Government colleagues within the State Department, within the White House, with other agencies like the MCC and OPIC and Ex-Im Bank and USTR to ensure that all of our U.S. Government efforts are coordinated and make the most sense possible.

So thank you for the opportunity to appear before you today.

Senator MARKEY. Thank you. Well, I think both of you are ready on day one at 8 a.m. to take over these agencies. Your backgrounds are impeccable. And these are two cutting-edge international devel-

opment agencies, and they need great leadership. And I think you can provide it.

And I would also say to other members or their staffs that you have until Thursday afternoon to submit questions, and all statements in their entirety will be included in the record as well.

And with that, this hearing is adjourned.

[Whereupon, at 4:10 p.m., the hearing was adjourned.]

**NOMINATIONS OF CATHERINE NOVELLI,
CHARLES RIVKIN, TINA KAIDANOW, PUNEET
TALWAR, MICHAEL HAMMER, KEVIN WHITA-
KER, AND BRUCE HEYMAN**

WEDNESDAY, DECEMBER 11, 2013

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

Catherine Ann Novelli, of Virginia, to be Under Secretary of State for Economic Growth, Energy & Environment; Alternate Governor of the International Bank for Reconstruction and Development; Alternate Governor of the Inter-American Development Bank; Alternate Governor of the European Bank for Reconstruction and Development

Hon. Charles Rivkin, of California, to be Assistant Secretary of State for Economic & Business Affairs

Hon. Tina S. Kaidanow, of the District of Columbia, to be Coordinator for Counterterrorism, with the rank and status of Ambassador at Large

Puneet Talwar, of the District of Columbia, to be an Assistant Secretary of State for Political Military Affairs

Hon. Michael A. Hammer, of the District of Columbia, to be Ambassador to the Republic of Chile

Kevin Whitaker, of Virginia, to be Ambassador to the Republic of Colombia

Bruce Heyman, of Illinois, to be Ambassador to Canada

The committee met, pursuant to notice, at 10:04 a.m., in room SD-419, Dirksen Senate Office Building, Hon. Robert Menendez (chairman of the committee) presiding.

Present: Senators Menendez, Durbin, Corker, McCain, and Rubio.

**OPENING STATEMENT OF HON. ROBERT MENENDEZ,
U.S. SENATOR FROM NEW JERSEY**

The CHAIRMAN. This hearing of the Senate Foreign Relations Committee will come to order. Today as we approach the holiday recess, we have seven well-qualified nominees for the committee's consideration. We welcome them to the Senate. We welcome their family members who are joining us today to offer their support, and we know how proud you all must be. And as always, I encour-

age our nominees when it is their time before the committee to feel free to introduce family members or friends because they, too, are making a sacrifice in service to the Nation, and we appreciate their willingness to share you with our country, and for that fact, with a country that you will be assigned to or the charge for which you have.

These nominees, if confirmed, will have some of the most important positions in the State Department and in this hemisphere. We are considering nominees for the two top economic posts in the State Department at a time when our country is pursuing the most ambitious trade agenda in generations. Our companies and workers are facing tougher competition than ever before. The global energy landscape is changing radically and at a time when the world faces serious environmental threats; nominees who will oversee State's counterterrorism and political military affairs at a time when the State Department's role in counterterrorism and diplomacy is more important than ever; nominees who will serve as our Ambassadors to three of our most important allies in this hemisphere—Canada, Chile, and Colombia.

Let me remind everyone that the record will remain open until 12 o'clock tomorrow, Thursday. And before I introduce our first panel, let me turn to Senator Corker, the distinguished ranking member, for his comments.

**OPENING STATEMENT OF HON. BOB CORKER,
U.S. SENATOR FROM TENNESSEE**

Senator CORKER. Thank you, Mr. Chairman, and I want to thank the two nominees for their willingness to serve in this capacity. I think, you know, our country, so many of our citizens, as one would expect, are focused inward these days because of the economic situation we find our country in and some of the fiscal issues. And I think it is difficult sometimes to champion the kind of activities that these two are going to be involved in. But we have 4½ percent of the world's population. We have 22 percent of the world's gross domestic product.

And what that does is improve the quality of lives and the standard of living of people in Illinois, and New Jersey, and Tennessee, and yet sometimes we do not do a very good job of advocating for that and championing that. And I really do appreciate the fact that we have two nominees that are well qualified, that very much understand the importance of our involvement with other countries economically, and I think they are going to do a very good job in their roles. They are well qualified. I appreciate the time they have spent in our office, and I look forward to this hearing, Mr. Chairman.

The CHAIRMAN. Well, with that ringing endorsement, we can call the hearing to an end. [Laughter.]

Senator CORKER. That would be fine with me. I have plenty to do today. I mean, it would be great if they introduced their families, and I think they would like to leave here feeling as if they are Henry Kissinger. [Laughter.]

So maybe we could do that and move the hearing on.

The CHAIRMAN. All right. Thank you, Senator Corker. I know that Senator Durbin is here to introduce one of our nominees who

is in a subsequent panel, Bruce Heyman, and I know the distinguished whip's time is limited, so if you want to make an introduction now before the committee, we are happy to entertain that.

Senator DURBIN. Thanks, Mr. Chairman and Senator Corker. And thanks to the two nominees before us, Ms. Novelli and Mr. Rivkin, who has told me that he has Chicago roots. All the nominees reach out for connections, and that is a very good one for me.

But I know on the third panel there is going to be another friend of mine, who has been nominated by the President to serve as Ambassador to Canada, Bruce Heyman. It is an honor for me to introduce him. His home now is in Illinois. He is here with his wife, Vicki, and their three children, David, Liza, and Caroline, and we welcome them.

He is a managing director in investment management and regional head of the Private Wealth Management Group at Goldman Sachs, where has worked since 1980. Active member of the community, member of the Chicago Council on Global Affairs, Northwestern Memorial Hospital Foundation, Facing History and Ourselves, and the Committee for a Responsible Federal Budget, among other things; a magna cum laude graduate from Vanderbilt University with a B.A. and M.B.A.; served as the president of the alumni board of his alma mater's Graduate School of Management; broad experience facing many different challenges, and the right person for this job.

The United States and Canada have a unique, positive, strong relationship forged by geography, shared values, and common interests, and I am sure that Ambassador Heyman—and he will be the Ambassador—will continue in that great tradition. We are proud of our friends north of the border, and we have a strong relationship with them in so many ways.

Bruce, it is good to see you here today. The members of this committee look forward to hearing from you. I am sure they will see, as I have, that you will be serving the American people and the United States in keeping our friendship and alliance with Canada stronger than ever.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator.

Well, let me introduce our first panel. Catherine Novelli, nominated to be the Under Secretary of State for Economic Growth, Energy, and Environment. Ms. Novelli has had a distinguished and highly successful career in both the public and private sectors. She has shown a deep personal commitment to public service over several decades—former assistant U.S. Trade Representative for Europe and the Mediterranean. She coordinated U.S. trade and investment policy for over 65 countries of Western Europe, Central Europe, Russia, the NIS, the Middle East, and northern Africa regions in that position. And in prior roles as USTR, she has taken a lead role in many of the important U.S. trade negotiations in Europe, Russia, the Middle East, and north Africa over the last 25 years.

Most recently, she has served as vice president of Worldwide Government Affairs at Apple, heading a multinational team responsible for Apple's Federal, international, State, and local gov-

ernment relations and public policies. We welcome you to the committee.

Charles Rivkin has been nominated as Assistant Secretary of State for Economic and Business Affairs. He has appeared before our committee before, has served for the last 4 years, I think, with distinction as the U.S. Ambassador to France and Monaco. He is well known as the president and CEO of award-winning entertainment companies, including the Jim Henson Company and WildBrain, to mention some. And he has been credited with great success in expanding public diplomacy efforts.

Your full statements are going to be entered into the record without objection, so we would ask you to summarize them in about 5 minutes or so so that we can enter into a conversation with you. And again, if you have family members or friends here with you, please introduce them to the committee.

Ms. Novelli.

STATEMENT OF CATHERINE ANN NOVELLI, OF VIRGINIA, TO BE UNDER SECRETARY OF STATE FOR ECONOMIC GROWTH, ENERGY, AND ENVIRONMENT; ALTERNATE GOVERNOR OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT; ALTERNATE GOVERNOR OF THE INTER-AMERICAN DEVELOPMENT BANK; ALTERNATE GOVERNOR OF THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT

Ms. NOVELLI. Thank you, Chairman Menendez, and Ranking Member Corker, and Senator Durbin. It is a great privilege to appear before you today as the nominee for Under Secretary of State for Economic Growth, Energy, and the Environment. I am humbled by the confidence that the President and Secretary Kerry have placed in me by nominating me for this position.

I would like to introduce my husband, David Apol, and my daughter, Katerina, who along with my son, Daniel, have been a constant source of support and inspiration over the course of my career. Daniel wanted to be here today, but his plan was disrupted by his end of semester exams.

I would also like to pay a special tribute to my parents, Albert and Virginia Novelli, both first generation Italian-Americans who are a shining example of the opportunities this county presents to succeed through determination and hard work. My dad, who passed away this summer, was a World War II veteran, and his 30-year career in service to his country was a lesson to me in the value and reward of public service.

I am excited about the prospect of returning to government to serve. I hope to bring a very special practical perspective to policy-making and implementation of policy based on my work in both the public and private sectors.

In my more than 20 years of public service, primarily at the U.S. Trade Representative's Office and also at the Department of Commerce, I learned how important clear and transparent rules of the road are for U.S. companies seeking to sell products or invest. I have also seen how clear rules promote growth in our economic partners and, thus, create jobs for Americans. For the past almost 7 years, I have had the honor of working for Apple and have expe-

rienced firsthand the challenges that face one of America's most innovative companies in order to compete in markets around the world.

President Obama has made clear that our No. 1 goal must be to promote growth, create jobs, and strengthen the middle class. If confirmed, furthering U.S. competitiveness will be my top priority. The State Department has an important role to play in these efforts by insisting on written rules of the road for all global economic players, and helping to create a level playing field through muscular advocacy for U.S. companies.

I will also make it a priority to ensure that the State Department fully and effectively integrates our energy security, environmental, and commercial policies to best support our broad national interests. The International Energy Agency estimates that the world will need nearly \$17 trillion in power sector investment alone through 2035. The types of energy investment decisions countries around the world make over the next 20 years will have powerful impacts on our energy security, environment, and America's commercial prospects.

The intersection between U.S. energy security, economics, and environment also extends to policies surrounding the world's oceans. Oceans cover almost three quarters of our planet. They are vital resources for food, for transportation, and for energy. Many jobs and economies around the world depend on the living marine resources in our oceans. I will make it a priority to engage with our partners, stakeholders, as well as the members of this committee to ensure that our oceans are healthy and sustainable and that we are striking the right balance in this important area.

In all of these areas—business, energy and environment—U.S. ingenuity and creativity has played a critical role. My work at both USTR and Apple has convinced me of the importance of doing everything within my power to support innovation and entrepreneurship. Innovation and entrepreneurship have fueled American economic growth since the founding of our country. For example, in an area with which I am very familiar, an independent economic study traced the creation of over 750,000 U.S. jobs in the past 5 years just to the app economy alone. With so much at stake, I plan to make promoting the policies that will keep markets open for our scientists, inventors, and creators a key focus of my tenure at the State Department.

The U.S. Senate has been an important partner for the administration on a broad range of economic policy issues, including the ones I just mentioned. I welcome the insight the members of this committee bring to our international economic challenges, and if confirmed, I hope to work closely with you in support of our country's economic interests.

Thank you for considering my nomination. I would be pleased to answer any questions that you may have.

[The prepared statement of Ms. Novelli follows:]

PREPARED STATEMENT OF CATHERINE A. NOVELLI

Thank you, Chairman Menendez and Ranking Member Corker, and all the members of this committee. It is a great privilege to appear before you today as the nominee for Under Secretary of State for Economic Growth, Energy and the Envi-

ronment. I am humbled by the confidence that the President and Secretary Kerry have placed in me by nominating me for this position.

I would like to introduce my husband, David Apol, who, along with my daughter, Katerina, and son, Daniel, has been a constant source of support, and inspiration over the course of my career. Katie and Daniel wanted to be here today, but their plan was disrupted by their end of semester exams at school. I would also like to pay a special tribute to my parents, Albert and Virginia Novelli, both first generation Italian Americans who are a shining example of the opportunities this county presents to succeed through determination and hard work. My dad, who passed away this summer, was a World War II veteran and his 30-year career in service to his country was a lesson for me in the value and reward of public service.

I am excited about the prospect of returning to government to serve. If confirmed, I hope to bring a very practical perspective to policymaking and implementation of policy based on my work in both the public and private sectors. In my more than 20 years of public service, primarily at the U.S. Trade Representative's Office and also at the Department of Commerce, I learned how important clear and transparent rules of the road are for U.S. companies seeking to sell products or invest. I have also seen how clear rules promote growth in our economic partners and thus create jobs for Americans. For the past almost 7 years, I have had the honor of working for Apple, and have experienced firsthand the challenges that face one of America's most innovative companies in order to compete in markets around the world.

President Obama has made clear that our number one goal must be to promote growth, create jobs and strengthen the middle class. If confirmed, furthering U.S. competitiveness will be my top priority. The State Department has an important role to play in these efforts by insisting on written rules of the road for all global economic players, and helping to create a level playing field through muscular advocacy for U.S. companies.

Already, the State Department has made it a top priority to assist U.S. businesses to win contracts overseas. If confirmed, I will continue to mobilize the State Department—from our most senior officials on the 7th floor to our over 1,100 economic professionals in Washington and the field—to conduct aggressive advocacy on behalf of American firms.

I understand well from my experience in government and the private sector that doors are not always open to American exports. Our strength has been to negotiate agreements with our partners where the rule of law prevails. If confirmed, I will be a vigilant and relentless advocate to enforce our international agreements to open markets, combat unfair subsidies, and protect the intellectual property of American companies. These principles have made the United States strong and a fountain for global growth that in turn benefits American workers. Smart diplomacy backed by unambiguous enforcement of international agreements fosters the competitive markets that play to America's strengths.

Working with countries on agreements to increase trade and level the playing field for investment will also be essential to unlocking barriers to U.S. growth. As Secretary Kerry has stated, the more American firms sell abroad, the more they are going to hire here at home. And since 95 percent of the world's customers live outside of our country, we have to make sure our firms can compete in those increasingly growing markets.

If confirmed, I will also make it a priority to ensure that the State Department fully and effectively integrates our energy security, environmental, and commercial policies to best support our broad national interests. The International Energy Agency estimates that the world will need nearly \$17 trillion in power sector investment alone through 2035. Almost \$10 trillion of this amount will go toward power generation. The types of energy investment decisions countries around the world make over the next 20 years will have powerful impacts on our energy security, environment, and America's exports and commercial prospects. If confirmed, I will promote a fully integrated approach in these areas aimed at identifying the policies that best support our broad national interests.

Energy and national security are clearly entwined. We have seen that with the smart and aggressive implementation of the sanctions on Iranian oil exports that were developed by this committee. In today's world, good diplomacy must embrace the energy dynamics so fundamental to global wealth and power. If confirmed, I will work to ensure that U.S. foreign policy leverages to our benefit the complex and shifting geopolitics sparked by the energy revolution that began in the United States—so that our national security, our energy security, and our economic prosperity is advanced.

The intersection between U.S. energy security, economics, and environment also extends to policies surrounding the world's oceans. Oceans cover almost three quar-

ters of our planet. They are vital resources—for food, for transportation, and for energy. The oceans play a role in regulating our climate and our weather. Over one-third of the world's population lives in coastal areas and more than 1 billion people worldwide rely on food from the ocean as their primary source of protein. Many jobs and economies around the world depend on the living marine resources in our oceans. Oceans also inspire awe, wonder, and delight from teeming coral reefs in the Caribbean to the haunting beauty of the songs of the humpbacked whales. Oceans are a priority for the State Department and if confirmed, they will be a priority for me as well. I will make it a priority to engage with our partners across the U.S. Government and around the world, other stakeholders, as well as the members of this committee to ensure that our oceans are healthy and sustainable and we are striking the right balance in this important area.

In all of these areas—business, energy and environment, U.S. ingenuity and creativity has played a critical role. My work at both USTR and Apple has convinced me of the importance of doing everything within my power to support innovation and entrepreneurship. Innovation and entrepreneurship have fueled American economic growth since the founding of our country. For example, in an area with which I am very familiar, an independent economic study traced the creation of over 750,000 U.S. jobs in the past 5 years just to the App economy alone. With so much at stake, if confirmed, I plan to make promoting the policies that will keep markets open for our scientists, inventors, and creators a key focus of my tenure at the State Department.

The U.S. Senate has been an important partner for the administration on a broad range of economic policy issues, including on the ones I just mentioned. I welcome the insight the members of this committee bring to our international economic challenges, and if confirmed, I hope to work closely with you in support of our country's economic interests.

Thank you for considering my nomination. I would be pleased to answer any questions you may have.

The CHAIRMAN. Thank you.
Mr. Rivkin.

**STATEMENT OF HON. CHARLES RIVKIN, OF CALIFORNIA, TO
BE ASSISTANT SECRETARY OF STATE FOR ECONOMIC AND
BUSINESS AFFAIRS**

Ambassador RIVKIN. Thank you, Chairman Menendez, Ranking Member Corker, and members of the committee. Before I begin, I would like to introduce my brother, the Honorable Robert Rivkin, and I want to acknowledge my extraordinary wife, Susan, who is with me here today, and thank her for the important work that she did in France, as well as for her ongoing support and sacrifice. Our children, Elias and Lily, who are in college and could not attend this hearing, have been inspired by a family tradition of public service and are an enormous source of pride for us.

It is an honor to be here today as President Obama's nominee for Assistant Secretary of State for Economic and Business Affairs. I am doubly honored that President Obama and Secretary Kerry are placing their trust in me for a second time, and that after more than 4 years of serving my country overseas as U.S. Ambassador to France, they have asked me to come back to Washington to serve in a different capacity. I am humbled by their faith and excited by the new challenges and opportunities before me.

In the days since President Obama nominated me as Assistant Secretary of State for Economic and Business Affairs, many of my colleagues in the private sector have asked me what this Bureau actually does to promote their interests. And my simple answer is the State Department's Economic Bureau does two basic things. It creates jobs for Americans, and it keeps our country safe.

As Secretary Kerry has testified before the committee, “Now,” he said, “more than ever economic policy is foreign policy.” And if confirmed, I will build on the work of President Obama and Secretary Kerry to use economic engagement as a way to foster growth and prosperity around the world, which safeguards security and prosperity here at home. That is the core mission of the State Department’s Bureau of Economic and Business Affairs, otherwise known as EB.

If confirmed, I would provide leadership to over 200 talented Foreign Service and civil service professionals here in Washington, DC, and provide direction to our greatest asset, a network of more than 1,100 State Department economic professionals abroad, including the U.S. mission to the OECD.

If confirmed, I will help these dedicated public servants level the playing field for American workers around the world by breaking down barriers to U.S. business success in foreign markets, by promoting U.S. exports, and by attracting job-creating foreign investment to the United States. EB plays an important role in enforcing intellectual property rights, promoting innovation, supporting entrepreneurship, negotiating trade agreements, and ensuring that everything from car parts to medicines is safe and reliable.

If confirmed, I would oversee the negotiation of air transport agreements that link U.S. cities with the rest of the world. I would prioritize work with our partners around the globe to maintain a free, open, and accessible global Internet. Under my leadership, EB would promote security by continuing to disrupt the financial pipelines that terrorists rely on to fund attacks against the United States and our allies, and I would help implement and administer targeted sanctions against those who threaten peace and stability.

I am excited by the prospect of leading EB because, if confirmed, I would bring a unique combination of skills to the job. As a CEO, I ran several successful businesses, and as a diplomat, I ran one of the largest and most complex U.S. embassies in the world. And I know the importance of having the U.S. Government on your side when you are looking at overseas markets and trying to navigate uncharted territories.

And as Chief of Mission, I saw firsthand what dedicated U.S. Government employees can accomplish together because I was responsible for coordinating the work of more than 40 U.S. Government agencies in France, including the Departments of State, Defense, Justice, Agriculture, Homeland Security, and Commerce. I know how to bring an interagency team together to get things done and, if confirmed, I would bring this whole-of-government approach to my new job. Recent Presidential priorities, such as the National Export Initiative and SelectUSA, would benefit from this approach.

While serving in Paris, I had the honor and privilege to host congressional delegations and work with Congress, including this committee, to advance America’s interests. And if confirmed, I look forward to continuing that partnership and engaging in frequent consultations with this committee and its staff.

If confirmed, I would be the first noncareer bilateral ambassador to ever lead EB, and my experience in both the public and private sectors would give me insight into how we could better leverage our embassies around the world in support of U.S. economic policy. I

also understand the need to be even more innovative and creative in how we conduct modern diplomacy. The U.S. mission to France, for example, became the first U.S. embassy in the world to have a fleet of American-made electric cars thanks to a willingness to embrace new ideas from our young Foreign Service officers in the field, some of whom are in this room today.

Mr. Chairman and members of the committee, if confirmed by the United States Senate, I would help reinforce Secretary Kerry's vision of the prominence of economic affairs in foreign policy, and I would take a whole-of-government approach in sending a clear signal that America is open for business. I dedicate myself to completely fulfilling my Bureau's mandate of creating more jobs and making America more secure. I look forward to this important challenge, and I would be happy to answer your questions. Thank you.

[The prepared statement of Ambassador Rivkin follows:]

PREPARED STATEMENT OF HON. CHARLES H. RIVKIN

Thank you, Chairman Menendez, Ranking Member Corker and members of the committee. Before I begin, I want to acknowledge my extraordinary wife, Susan, and thank her for her important work in France, as well as for her continued support and sacrifice. Our children, Elias and Lily, who are in college and could not attend this hearing, have been inspired by a family tradition of public service and are an enormous source of pride.

It is an honor to be here today as President Obama's nominee for Assistant Secretary of State for Economic and Business Affairs. I am doubly honored that President Obama and Secretary Kerry are placing their trust in me for a second time, and that after more than 4 years of serving my country overseas as U.S. Ambassador to France, they have asked me to come back to Washington to serve in a different capacity. I am humbled by their faith and excited by the new challenges and opportunities before me.

In the days since President Obama nominated me as Assistant Secretary of State for Economic and Business Affairs, many of my colleagues in the private sector have asked me what this Bureau does to promote their interests. My simple answer is that the State Department's Economic Bureau does two basic things: It creates jobs for Americans and keeps our country safe.

As Secretary Kerry has testified before this committee, "now more than ever economic policy is foreign policy." If confirmed, I will build on the work of President Obama and Secretary Kerry to use economic engagement as a way to foster growth and prosperity around the world, which safeguards security and prosperity at home. That is the core mission of the State Department's Bureau of Economic and Business Affairs, also known as "EB".

If confirmed, I would provide leadership to over 200 talented Foreign Service and Civil Service professionals here in Washington, DC, and provide direction to our greatest asset—a network of more than 1,100 State Department economic professionals abroad, including the U.S. mission to the OECD (Organization for Economic Co-Operation and Development).

If confirmed, I will help these dedicated public servants level the playing field for American workers around the world by breaking down barriers to U.S. business success in foreign markets, by promoting U.S. exports, and by attracting job-creating foreign investment to the United States. EB plays an important role enforcing intellectual property rights, promoting innovation, supporting entrepreneurship, negotiating trade agreements, and ensuring that everything from car parts to medicines is safe and reliable. If confirmed, I would oversee the negotiation of air transport agreements that link U.S. cities with the rest of the world. I would prioritize work with our partners around the globe to maintain a free, open, and accessible global Internet. Under my leadership, EB would promote security by continuing to disrupt the financial pipelines that terrorists rely on to fund attacks against the United States and our allies, and I would help implement and administer targeted sanctions against those who threaten peace and stability.

I am excited by the prospect of leading EB because, if confirmed, I believe I would bring a unique combination of skills to the job: As a CEO, I ran several successful business enterprises; and as a diplomat, I ran one the largest and most complex U.S. embassies in the world.

I know the importance of having the U.S. Government on your side when you're looking at overseas markets and trying to navigate uncharted territories. As Chief of Mission, I saw firsthand what dedicated U.S. Government employees can accomplish together. I was responsible for coordinating the work of more than 40 U.S. Government agencies in France including the Departments of State, Defense, Justice, Agriculture, Homeland Security, and Commerce. I know how to bring an inter-agency team together to get things done and, if confirmed, would bring this "whole of Government" approach to my new job. Recent Presidential priorities, such as the National Export Initiative and SelectUSA, benefit from this approach.

While serving in Paris, I had the honor and privilege to host congressional delegations and work with Congress to advance America's interests. If confirmed, I look forward to continuing that partnership, and engaging in frequent consultations with this committee and its staff.

If confirmed, I would be the first noncareer bilateral ambassador to lead EB, and my experience in both the public and private sectors would give me insight into how we could better leverage our Embassies around the world in support of U.S. economic policy. I also understand the need to be even more innovative and creative in how we conduct modern diplomacy. The U.S. mission to France, for example, became the first U.S. Embassy in the world to have a fleet of American-made electric cars thanks to a willingness to embrace new ideas from our young Foreign Service officers in the field.

Mr. Chairman and members of the committee, if confirmed by the United States Senate, I will help reinforce Secretary Kerry's vision of the prominence of economic affairs in foreign policy and I will take a "whole of Government" approach in sending a clear signal that America is open for business. I will dedicate myself to completely fulfill my Bureau's mandate of creating more jobs and making America more secure.

I truly look forward to this important challenge, and would be happy to answer your questions.

The CHAIRMAN. Thank you both for your statements.

Let me start off. Ms. Novelli, you, if confirmed, would take over at a time in which we have major economic and environmental energy related challenges and opportunities. And many of us have advocated inclusion of these types of issues into broader U.S. foreign policy discussions. Do you agree with that sentiment, and how might a more integrated approach to economic diplomacy guide our strategic outlook?

Ms. NOVELLI. Yes, Senator.

The CHAIRMAN. If you would put on your microphone.

Ms. NOVELLI. Great. Yes, Senator. I fully agree with that approach and think it is absolutely vital that we recognize that we live in a global economic world that is highly competitive, and that all of these different issues that you have named intersect with each other and have impact on each other, and they cannot be just looked at in isolation. And that is something I worked on very much even while I was at USTR, integrating all these different issues into our trade policy, and now taking that forward to integrate that into our foreign policy and understand that these things are inextricably intertwined. So I plan to work very hard on that.

Secretary Kerry, when he talked to me about this position, said that that was his view as well, and so I plan on working with him and all of the senior leadership team as well as Ambassador Rivkin to make that we are elevating our integrated economic interests into our foreign policy.

The CHAIRMAN. Well, let me continue on that line. One of the things that I have been developing is an effort to put some more meaning to what economic statecraft means in tangible ways, and will hopefully be rolling that out in the very near future.

For me, that means using the full range of economic tools, trade, investment, assistance, negotiations, sometimes sanctions, to achieve foreign policy objectives, and you both have elements of this in your respective potential portfolios. So I would like to get a sense from you of how you would plan to pursue such an initiative, which is in line with what the Secretary himself has announced. And what additional policies would you implement to ensure that it leads to tangible economic growth here in the United States, because I see that as an important part of the equation.

We obviously have very important concerns in bilateral relations with countries. We have concerns within multilateral forms, like the U.N., OAS, NATO, and others. By the same token, while we are pursuing foreign policy that is about national security and national interests, one of the things I have felt that we have never done—this is not just this administration—that we have never done over time in the most meaningful of ways is use our full all-of-government approach in a way that inures to open markets to greater transparency, to protect intellectual property rights, which is something that I am critically concerned about coming from a State that has so many innovators, and for which I believe we lead in the world as a result of our innovation here at home.

Give me a sense, beyond the conceptual elements, of how, if confirmed, you would help drive making economic statecraft with part of an end goal being domestic economic opportunity as your effort in your respective positions.

Ms. NOVELLI. Well, Senator, I think maybe the best way to give you a concrete sense is to maybe take one of the areas that you mentioned and give you a concrete sense of how I could see that being integrated. And that would be the protection of intellectual property, which I know firsthand from my previous job is vital to our own job creation in the United States.

And so there, I think we do have many tools at our disposal. We have the job owning tool of raising this, which has been raised with the Chinese Government at the highest levels by President Obama and Secretary Kerry. We also have an assistance tool to help countries actually both write laws that are going to adequately protect intellectual property, as well as enforce them. We can use exchanges with our own judiciary to help with that, as well as our aid functions and other assistance by other experts in the U.S. Government to help with that. We also have our tools of the World Trade Organization to bring people to dispute settlement if they are not following their obligations under the WTO under the TRIPS obligations. So we have a very broad range of tools there.

I think we also have our trade promotion tools to encourage companies through SelectUSA and other means to invest in the United States, creative companies, companies who are creating intellectual property to invest here and create high-level jobs here. So I believe that there is a broad range of all of the things that we can do.

The CHAIRMAN. There is a broad range, and I agree with you, in all of those agencies and others. The problem that I perceive is that we do not bring that in a focused, harnessed way on behalf of our opportunities, our companies, our advocacy abroad, and I hope that we will be able to work with you. I do not expect that we are going to flush that all out at this hearing, but I hope we will be able to

work with you—and I would like to hear from the Ambassador as well—to try to think about working with the Department and others.

You know, we have so many different entities and agencies, and sometimes I look at other countries that bring it all under an umbrella, at least in a focused way, and it creates a pretty powerful result. And I look at just Latin America by way of one example. We used to do infrastructure throughout Latin America. We were the lead. I recently did a map of all of the major projects in Latin America, and they are overwhelmingly either Chinese, from Spain, or, in some cases, Brazilian companies doing major infrastructure work that the United States used to do. I think there are one or two American flags out of a list of 50. That is an example of what I would like to see changed, and so we look forward to working with you. Ambassador, do you want to talk to this, please?

Ambassador RIVKIN. Thank you, Senator, and thank you for the question because obviously that will be central to what Ms. Novelli and I would try to achieve if confirmed. I, of course, agree with what Ms. Novelli said, but you asked for also some specific examples. There are some easy things we could do. Clearly education and training at the State Department in terms of making our economic officers even more business savvy. Clearly, you know, it would make sense on foreign travel from the most senior levels of the State Department to have an economic agenda. You mentioned the advocacy that other countries put forward. I witnessed that experience in France, and they are also quite effective at the highest level of government by putting statecraft at the center of their agenda.

But you know what we really do concretely, and I can speak to this directly, is the chance to lever our embassies around the world. We have some of the smartest people, you know, in the U.S. Government, in my opinion, in almost every country in the world waiting to help. I mean, an example would be the Foreign Commercial Service, which I helped manage in Paris. The Foreign Commercial Service is present in 70 countries with the Commerce Department, but there are 58 additional countries where that service is done by the State Department. And we need to work with Congress.

I think, and Secretary Pritzker I know agrees, that we can do more to coordinate that effort. State can work more closely with the USTR. We need to get these free trade—the two trade agreements that are on the table, the Transatlantic Trade Investment Partnership and the—you know, deal done. And I think these would be absolute tangible measures that we could increase the role of economics in foreign policy.

The CHAIRMAN. Finally, Ambassador, your Bureau is going to be responsible for implementing foreign-policy-related sanctions adopted to counter threats to national security posed by—posed, I should say, by particular activities in countries. In light of the recent debate over the efficacy for further economic sanctions in Iran, I would like to hear—it is not about Iran specifically—but I would like to hear your views in this hearing on the appropriate use of sanctions as a foreign policy tool.

Ambassador RIVKIN. Well, Senator, thank you for the question. I would like to start with Iran because it is current, and on the

table, and very much in the news. And, you know, I think it is important to mention that our core sanctions architecture, of course, remains in place with the current proposal, and that the relief we are providing right now to Iran is limited, temporary, targeted, and reversible.

And I know the State Department feels very strongly that it is important at this moment in time to give diplomacy a chance.

I think thanks to the work of Congress—

The CHAIRMAN. Are you open—I tried to get you to avoid that. You opened up a box, and we are now going to talk about. But go ahead, finish the rest of—

Ambassador RIVKIN. I am happy to talk about it, sir. I believe that thanks to Congress, thanks to the administration's policies, we have the opportunity to have these discussions with Iran because the sanctions have been effective, and that is the point I wanted to make in general, which is that sanctions when they are well coordinated can be absolutely effective as a tool of foreign policy.

The CHAIRMAN. Well, the question before the Senate is a difference of opinion between the administration and the Senate about achieving a mutual goal. And some of us, myself included, have been the architects of the sanctions regime that has brought Iran to the table, which has not always been supported by previous administrations as well as by this one.

We have always heard that it is not the time and it is not the right set of circumstances, and yet they have been embraced as the major reason why we have Iran at the negotiating table. And so, from our perspective, the reality is that having prospective, outside of the window of diplomacy, and at the same time as both an insurance policy should our aspirations not be achieved, and we have a history of not achieving our aspirations with Iran, as well as an incentive to understand that this is what is coming if, in fact, there is not a deal struck is a positive pursuit.

I wanted to hear from you more on the sanctions focus generally. I did not want to get to Iran because that would consume most of this hearing, but I do hope that you will talk to your position beyond just Iran. There are moments—there are only a handful of useful diplomacy tools. It is the use of your aid and your trade to induce a country to move in a certain way. It is the use of international opinion to the extent that you are dealing with a country that is willing or susceptible to being moved by international opinion, or it is the denial of aid or trade, which we generally consider sanctions among others, as a way to deter a country from pursuing a course that is not in our national interest or security or world security for that fact, and at the same time to hopefully incentivize and to move in a different direction.

So I have never met anyone in my 21 years of dealing with foreign policy between the House and the Senate any administration, Republican or Democrat, who has ever said to me, please send me sanctions. But the bottom line is as a tool of peaceful diplomacy, sometimes it needs to be considered. And what I have a problem with is I have had experience with administrations that outright reject the possibility of sanctions when, in fact, it is part of a very limited universe of peaceful diplomacy tools.

Senator Corker.

Senator CORKER. Again, thank you for coming. I know that we have three panels, so I am going to be very brief, and we had an extensive amount of time yesterday in our offices or the day before. But, Ms. Novelli, you are going to have the—I know you talked a little bit about environmental issues with the chairman, but you are going to be the person, I suppose, that will recommend to Secretary Kerry whether the Keystone Pipeline is in U.S. national interests or not. And, you know, you certainly cannot say you have not been around. You have been very close to these issues. So I would like for you to respond as to how you plan—what recommendation you plan to make and what criteria you plan to use to make that recommendation.

Ms. NOVELLI. Well, Senator Corker, while I have been around in the private sector, I certainly have not been involved in the deliberative process that has taken place thus far on the Keystone Pipeline. But it is my understanding that there has been a rigorous, objective, and transparent process that has been undertaken, and over a million public comments have been received and are being evaluated. And as soon as I get into the State Department, if I am confirmed, I plan to ensure that all of our country's economic interests are taken into account very vigorously in looking at this whole question, because there needs to be a decision based on our overall national interests.

Senator CORKER. So when you make that recommendation, you are going to focus almost exclusively on what is in the economic interest of our country.

Ms. NOVELLI. I am going to make that a focus of what I look at.

Senator CORKER. What other criteria would you look at?

Ms. NOVELLI. There are other criteria, as I—again, as I understand it, and I cannot really prejudge this since I am not in the position yet. But there are some environmental questions that have been raised as well, and those things have to be balanced. But our economic interests absolutely have to be part and parcel of any decision that is made.

Senator CORKER. Thank you. The issue of State on enterprises I know both of you will be focused on. And, you know, as you continue to focus on our economic interests in our country, you will have to look at the competing issues of private companies having to deal increasingly with staying on enterprises around the world, and I just wonder how each of you plan to deal with that issue. We especially have issues with China relative to that, and I think, Ms. Novelli, you have certainly dealt with that in the private sector. I know the Ambassador has full understandings of that also. And I just wonder how you, in your respective jobs, plan to deal with that issue.

Ambassador RIVKIN. Thank you very much, Senator, for the question. Obviously that concerns us quite a bit, and we have a number of tools at the State Department's disposal to try to address that issue. If confirmed, sir, one of them is, of course, the bilateral investment treaties, the BITs, and we have discussions ongoing right now in both China and India and other parts of the world for bilateral investment treaties that would, I think, level the playing field against sovereign-owned enterprises and give our companies a chance.

Senator CORKER. Would you like to speak to that?

Ms. NOVELLI. Well, in addition to the BITs, which I fully agree need to include these kinds of provisions, there is also looking at putting these into the Trans-Pacific Partnership Agreement. And while some of the countries who are the most egregious in their use of State-owned enterprises are not part of that, it can serve as a sort of a marker and a gold standard for what we think should be the disciplines that are put on those enterprises.

So besides the direct bilateral approach, which we will vigorously undertake, both of us together, we will also look at multilaterally and see what kind of disciplines we can get everybody else to agree to so we can kind of surround the problem.

Senator CORKER. Mr. Rivkin, I know as Ambassador, and again, I appreciate the time we spent in France together, and as I have mentioned, have commended you on your service there. But during that time, Europe unilaterally tried to expose our commercial aviation industry to ETS, and, you know, Congress has obviously pushed back against that. I wonder what you plan to do in your prospective role to counter unilateral efforts of that nature that really cause one portion of the world to be dealing with a global issue that many of us—I think most of us here believe should not be implemented against us unilaterally in that way.

Ambassador RIVKIN. Thank you, Senator. If confirmed, obviously that would be a very important part of my portfolio is running the Economic Bureau, and in our opinion, the October 16th EU proposal for ETS is a bad idea.

We are opposed to the application of European ETS. We think it is unwise because reinstating the ETS with respect to international aviation may undermine the agreements that were already put in place IKO, and IKO is the right home for these global decisions.

Senator CORKER. Well, listen, again, thank you both. I appreciate the time in the office, and I know that on the Keystone issue, that was an elegant nonanswer. I just want to—and I understand that. I understand you are a pretty bright person and seasoned. I do just ask each of you, I think that both of you bring a lot of energy, and I think you know that—I have told you both privately that I think you are well qualified, and I have said that here today publicly.

This has been sort of a disappointing period of time in Washington over the last month for a lot of reasons. And I would just ask you both—I know that you come to these jobs with a tremendous amount of energy and zeal. But I do ask you to please not partake in special interest group politics in your position; that when you are looking at our economic interests, that we do not, as I mentioned to both of you in our office, focus on parochial issues or special interests to try to gain favor for the administration politically and other ways, but that you focus globally on the fact that if our country is able to compete around the world on a more level playing field, it really does improve the standard of living of the people that we represent. And I hope that in all cases you will hold that as your highest goal and move away from some of the special interests politics that I think have hampered the State Department and hampered our country, candidly.

And I hope as we move forward with the TPP and we move forward with the EU Trade Agreement you all will do everything you

can to keep, candidly, Senators and House Members from trying to inflict those same kinds of things in a trade agreement that might otherwise make it much weaker and not as advantageous over time to our country.

So with that, I thank you and I appreciate again your desire to serve, your families' willingness to serve with you. And I wish you well.

The CHAIRMAN. One final question I ask all of our nominees. Will you commit to this committee to be responsive to requests both for potential appearances and information that the committee asks of you?

Ms. NOVELLI. Absolutely.

Ambassador RIVKIN. Yes, absolutely, sir.

The CHAIRMAN. Thank you. With that, with our appreciation for your appearance here today—there may be other questions submitted for the record, which we will determine in a little bit how long the record will remain open. I would urge you to respond as quickly as possible to those questions in order to consider your nominations before a business meeting of the committee.

So thank you all, and you are excused at this point.

Ambassador RIVKIN. Thank you.

The CHAIRMAN. And as we excuse this panel, let me begin to introduce and call up our second panel. Ambassador Tina Kaidanow is nominated to be the Coordinator for Counterterrorism with the rank and status of Ambassador at Large. Ambassador Kaidanow is a career member of the Senior Foreign Service, most recently serving as Deputy Ambassador at the U.S. Embassy in Kabul, where I had the opportunity to visit with her earlier this year, impressed by her insights. She was Principal Deputy Assistant Secretary of State, previously served as Deputy Assistant Secretary of State for European and Eurasian Affairs. She has served as Ambassador to Kosovo on the National Security Council of the White House. And we welcome her to the committee.

Puneet Talwar is no stranger to this committee, where he served with distinction as a senior professional staff member, chief advisor on the Middle East for the chairman and now Vice President Joe Biden. He has been nominated to the top diplomatic post of Assistant Secretary of State for Political Military Affairs. He has been President Obama's top advisor on the Middle East for over 4 years, so we welcome you back to the committee.

Again, your opening statements will be included in the record without objection. We ask you to summarize your statements in about 5 minutes or so we can enter into a Q and A session again. And if you have family members or friends here, please do not hesitate to introduce them to the committee.

And once I get—Bertie, can you change those signs? You have the right ones. You just have them in the wrong order. It is OK. Switch them. All right, there we go. Absolutely. I do not want people watching saying, wait a minute, who is giving that answer. [Laughter.]

We welcome you both to the committee. Ambassador Kaidanow, we will start with you.

STATEMENT OF HON. TINA S. KAIDANOW, OF THE DISTRICT OF COLUMBIA, TO BE COORDINATOR FOR COUNTERTERRORISM, WITH THE RANK AND STATUS OF AMBASSADOR AT LARGE

Ambassador KAIDANOW. Mr. Chairman, distinguished members of this committee, it is an honor to come before you as the President's nominee to coordinate international counterterrorism efforts at the U.S. Department of State. The State Department's Bureau of Counterterrorism takes a leading role in developing sustained strategies to defeat terrorists abroad. I am deeply grateful both to President Obama and to Secretary Kerry for entrusting me with this responsibility, and if confirmed, I pledge to work with all of you very, very closely on this critical set of issues.

Unfortunately, my family is not able to be here with me here today, but I do want to take a moment to acknowledge and especially thank my parents, Esther and Howard Kaidanow. Both of them are immigrants to this country and Holocaust survivors, and they could not be more proud that their daughter has been given the opportunity to serve the U.S. Government through a distinguished career in the Foreign Service over these past 20 years.

Having most recently completed a tour as Deputy Ambassador in Kabul, I saw firsthand the challenges that terrorism has presented to Afghanistan and to its people. My time in Afghanistan and my earlier postings in Bosnia and Kosovo, where we worked to prevent dangerous and extreme elements from gaining a foothold in vulnerable post-conflict societies was a constant reminder of the salience of these issues and the global impact of the work that we do to counter terrorism.

This hearing really comes at a pivotal time. We have made serious progress with our strategic counterterrorism efforts, but a great deal of work remains to be done. As President Obama said earlier this year, "Our response to terrorism cannot depend on military or law enforcement alone. The use of force must be seen as part of a larger discussion that we need to have about a comprehensive counterterrorism strategy, because for all the focus on the use of force, force alone cannot make us safe."

The United States has achieved remarkable success over the past decade in degrading al-Qaeda's core leadership in Afghanistan and Pakistan. But while the core of al-Qaeda has been weakened, the threat has become more geographically diverse with much of the organization's activity devolving to its affiliates around the world, which are increasingly setting their own goals and specifying their own targets.

Moreover, nonstate actors are not our only terrorist concern. Since 2012, we have also witnessed a resurgence of activity by Iran and by Tehran's ally, Hezbollah. Hezbollah's terrorist activity has reached a tempo unseen since the 1990s with attacks plotted in Southeast Asia, Europe, and in Africa.

We have worked hard over the last several years to strengthen the civilian side of U.S. counterterrorism efforts overseas in order to successfully counter these threats. Transforming the State Department's Office of the Coordinator of Counterterrorism to full Bureau status under the supervision of the Under Secretary for Civilian Security, Democracy, and Human Rights in January 2012 was

a welcome and important step in this direction. If confirmed, I would work to institutionalize and focus the Counterterrorism Bureau's mission throughout the State Department and the inter-agency, strengthen the programs and the processes administered by the Bureau, and collaborate with the array of national security partners both here and abroad to ensure that counterterrorism remains at the forefront of our global concerns.

Consistent with the State Department's Quadrennial Diplomacy and Development Review, the QDDR, the Counterterrorism Bureau has prioritized two main strategic areas: capacity-building among our critical partners overseas so that they can do a better job themselves of dealing with the threats within their own borders and regions, and countering violent extremism, an effort that involves working to reduce the number of recruits to terrorist groups and countering the messaging that encourages such recruitment.

To achieve these important goals, the Bureau has worked both bilaterally and multilaterally to intensify the foreign partnerships vital to our counterterrorism success. If confirmed, I am committed to continuing to strengthen these partnerships with our traditional allies and with new ones even further. In this regard, I would mention one initiative in particular, a signature achievement from the first term of the Obama administration, the establishment of the Global Counterterrorism Forum, which was launched by the State Department with a core group of foreign partners in 2011. We can use this forum, along with many other multilateral venues, to engage with our partners in a sustained and strategic manner, and that will be my focus if confirmed.

We must also continue to strengthen and leverage the full unity of effort on counterterrorism within our own government, working together at every level with our colleagues at the Departments of Defense, Homeland Security, Treasury, Justice, and the intelligence community.

As I noted, we have come a distance, but we have appreciably farther to go. As we move forward, the United States must continue to use all of the tools at our disposal—diplomacy, development, economic statecraft, military, law enforcement, and intelligence tools—to disrupt and diminish the terrorist threat, and do so strategically and with appropriate forethought and consideration.

I look forward to working with you and the committee to make that happen and to contribute to the security of the American people. Thank you very much for your time, and I look forward to your questions.

[The prepared statement of Ambassador Kaidanow follows:]

PREPARED STATEMENT OF HON. TINA S. KAIDANOW

Mr. Chairman, Ranking Member Corker, distinguished members of this committee, it is an honor to come before you as the President's nominee to coordinate international counterterrorism efforts at the U.S. Department of State. Working with the U.S. Government counterterrorism team, the Bureau of Counterterrorism takes a leading role in developing sustained strategies to defeat terrorists abroad and in securing and coordinating the cooperation of international partners. I am deeply grateful both to President Obama and Secretary Kerry for entrusting me with this responsibility, and if confirmed, I pledge to work with all of you closely on this critical set of issues.

Unfortunately, my family is not able to be here with me today, but I do want to take a moment to acknowledge and specially thank my parents, Esther and Howard Kaidanow. Both are immigrants to this country and Holocaust survivors, and they could not be more proud that their daughter has been given the opportunity to serve the United States Government through a distinguished career in the Foreign Service over these past 20 years.

As you may be aware, I most recently completed a tour as Deputy Ambassador in Kabul, where I saw firsthand the challenges that terrorism has presented to Afghanistan and its people. Countless lives have been lost—Afghan and American—because of the scourge of terrorism and the continued activity of the Taliban, the Haqqani Network, and al-Qaeda and its affiliates. We have invested a great deal of blood and treasure in fighting this threat through a variety of means, in partnership with the Afghan Government, and we will continue to work together to counter terrorism even as the U.S. military presence in Afghanistan reduces and we shift our mission to assisting the Afghan security forces and the Afghan Government in taking the lead responsibility for these tasks. My time in Afghanistan—and my earlier postings in Bosnia and Kosovo, where we worked to prevent dangerous elements from gaining a foothold in vulnerable post-conflict societies—was a constant reminder of the salience of these issues and the global impact of work that we do bilaterally and regionally to counter the threat of terrorism and terrorist finance.

This hearing comes at a pivotal time. We've made progress with our strategic counterterrorism efforts, but a great deal of work remains to be done. As President Obama said in his remarks at NDU earlier this year, "our response to terrorism cannot depend on military or law enforcement alone. The use of force must be seen as part of a larger discussion we need to have about a comprehensive counterterrorism strategy—because for all the focus on the use of force, force alone cannot make us safe."

The United States has achieved remarkable success over the past decade in degrading al-Qaeda's core leadership in Afghanistan and Pakistan. I witnessed firsthand in Kabul the enormous cooperative effort across our government, building on the extraordinary achievements of our military, intelligence, and law enforcement communities. This is at the forefront of our Embassy's efforts, supported by a huge and diverse set of U.S. agencies represented at our post.

While the core of al-Qaeda has been weakened, however, the threat has become more geographically diverse, with much of the organization's activity devolving to its affiliates around the world, which are increasingly setting their own goals and specifying their own targets. Indeed, some of the greatest counterterrorism challenges we face today involve countering al-Qaeda affiliates and adherents based in Yemen, Syria, Somalia, and northwest Africa. As avenues previously open to these and other violent extremist organizations for receiving and sending funds have become more difficult to access, several groups have engaged in kidnapping for ransom and other criminal activities, and thus have also increased their financial independence.

Moreover, nonstate actors are not our only terrorist concern. Since 2012, we have also witnessed a resurgence of activity by Iran's Islamic Revolutionary Guard Corps' Quds Force (IRGC-QF), the Iranian Ministry of Intelligence and Security (MOIS), and Tehran's ally Hezbollah. Hezbollah's terrorist activity has reached a tempo unseen since the 1990s, with attacks plotted in Southeast Asia, Europe, and Africa. And Iran, Hezbollah, and their Shia proxies are providing a broad range of critical support to the Assad regime as it continues its brutal crackdown against the Syrian people. If confirmed, I will remain firmly committed to continue working with our partners and allies to counter and disrupt terrorism and the destabilizing activities that allow extremism to take hold from where they emanate. Those who sponsor acts of terrorism will not go unaddressed and acts of terrorism will not be tolerated by the international community.

At the State Department, we have worked hard over the last several years to strengthen the civilian side of U.S. counterterrorism efforts overseas. Transforming the Office of the Coordinator for Counterterrorism to full Bureau status under the supervision of the Under Secretary for Civilian Security, Democracy, and Human Rights in January 2012 was a welcome and important step in this direction. This transformation is still in its early stages, but having worked with the Bureau when I was in Kabul and earlier while Principal Deputy Assistant Secretary in the Bureau of European and Eurasian Affairs, I believe it is on the right track. If confirmed, I would work to institutionalize and focus the Counterterrorism Bureau's mission throughout the State Department and the interagency, strengthen the programs and processes administered by the Bureau—particularly with respect to developing results-based management tools for evaluation of our programmatic efforts—and collaborate with the array of national security partners both here and

abroad to ensure that counterterrorism remains at the forefront of our global concerns.

Consistent with the Quadrennial Diplomacy and Development Review (QDDR) finalized in 2011, the Counterterrorism Bureau has honed in on two key strategic areas: (1) capacity-building, so that countries can do a better job themselves of dealing with the threats within their own borders and regions, and (2) strengthening our work in countering violent extremism—otherwise known as CVE—to reduce the number of recruits to terrorist groups and counter the messaging these groups use to appeal to a wider audience. The latter effort is particularly important—with al-Qaeda and its affiliates depending upon a steady flow of new recruits, we need to use all of the tools of national power to confront the murderous ideology that continues to incite violence around the world and combat the public messaging used by these groups, even as we maintain continuous pressure against their operational activities. If confirmed, I will take this up as a priority.

To achieve our goals, the Bureau has worked bilaterally and multilaterally to strengthen the foreign partnerships vital to our counterterrorism success. And we have created programs to empower at-risk communities across the world to push back against violent extremism.

If confirmed, I am committed to continuing to strengthen these partnerships with our traditional allies and others abroad, including with the overwhelming majority of the world's nations who share with us an understanding of the terrorist threat and the need to address it in ways that match the ever-changing methodologies used by terrorists as technology and globalization evolve over time.

As a good example of this kind of international partnership, I would emphasize one successful initiative in particular: the CT Bureau's signature achievement from the first term of the Obama administration, the establishment of the Global Counterterrorism Forum (GCTF). The State Department, together with a core group of foreign partners, launched the GCTF in 2011 to ensure that the necessary international architecture was in place to advance a more strategic approach to addressing 21st century terrorism. In partnership with 28 countries across the globe and the European Union, the Forum seeks to enhance our efforts to strengthen civilian institutions and counter violent extremism. In a relatively short time, the GCTF has made its mark, having already mobilized more than \$230 million in member funds and set in motion two international training centers to provide platforms for sustainable training on countering violent extremism and strengthening rule-of-law institutions. And in September, Secretary Kerry announced that a core group of government and non-governmental partners from different regions will establish the first-ever public-private global fund to support local grassroots efforts to counter violent extremism.

So, while the people of the Middle East, West Africa, and the Horn of Africa, and South and Central Asia will each determine the best way to move forward based on their particular history, culture, and institutions, we can and will provide vital advice and assistance to civilian institutions, with a particular focus on countries transitioning to a long term, rule of law-based framework. Many of these countries are asking for our help, and if confirmed, I will do all I can to ensure we are prepared, within the limits of our resources and with our key partners' financial and political support, to encourage that effort.

I believe we must also continue to strengthen and leverage the full unity of effort on counterterrorism within our own government, working together with our colleagues at the Departments of Defense, Homeland Security, Treasury, Justice and the intelligence community.

Evolving terrorist threats require innovative strategies, creative diplomacy, and even stronger partnerships. Building partner capacity, countering violent extremism, and engaging partners bilaterally and multilaterally are essential. We learned in Afghanistan, for example, that stability requires progress on both security and political goals, and must be matched by effective governance, as well as the advancement of rule of law, human rights, and economic progress. This is why, notably, our assistance programs through the upcoming transition in Afghanistan are focused on building the capacity of Afghan institutions to sustain the gains of the last decade.

As I noted, we have come a distance, but we have appreciably farther to go. As we move forward, the United States must continue to use all of the tools at our disposal—diplomacy, development, economic statecraft, military, law enforcement, and intelligence tools—to disrupt and diminish the terrorist threat, and do so strategically and with appropriate forethought and consideration.

I look forward to working with you and the committee to make that happen and to contribute to the security of the American people.

Thank you for your time. I look forward to your questions.

The CHAIRMAN. Mr. Talwar.

STATEMENT OF PUNEET TALWAR, OF THE DISTRICT OF COLUMBIA, TO BE ASSISTANT SECRETARY OF STATE FOR POLITICAL MILITARY AFFAIRS

Mr. TALWAR. Thank you, Mr. Chairman and Ranking Member Corker. It is a tremendous honor for me to testify before you today and to be considered for the position of Assistant Secretary of State for Political Military Affairs. This committee is in many ways a second home to me, and I cherish the dozen years that I spent on the benches behind you witnessing some of the most consequential debates in American foreign policy.

If I might, I want to take a moment to introduce to you my mother and father, Mulika and Shashi Talwar, as well as my two sons, Haris and Ilyas. You may recognize Haris who served as an intern with the committee last summer. And my wife and I really would like to thank you, both of you, as well as the entire staff of the committee for providing him with such an enriching and extraordinary opportunity.

I want to say how deeply grateful I am for the sacrifices of my wife and my children, the sacrifices they have made over the past 20 years of my public service so that I can be sitting before you today. Of course, I am also grateful for the confidence that President Obama and Secretary Kerry have shown in nominating me for this position.

Mr. Chairman, Ranking Member Corker, over the past 5 years on the National Security Council, I have seen firsthand how the work of the State Department's Bureau of Political-Military Affairs, or PM as it is known in the State Department, is absolutely critical to our national security. The security of the United States is affected by more countries and more regions than ever before. The task of maintaining global security and addressing global challenges must be shared. It is therefore more vital than ever that our friends and partners have the capabilities to address common security challenges.

The PM Bureau is at the vanguard of our global security relationships. This effort involves a wide array of activities: negotiating security agreements around the world to give U.S. military personnel access for critical operations; clearing the long-forgotten minefields of war so that children may play safely outdoors; training international peacekeepers; partnering with others to successfully combat piracy in the Indian Ocean; bolstering the military capabilities of close partners so they can operate more effectively with our military and with each other; bringing foreign officers to the United States to study at our war colleges so they can learn from the best, the men and women of our Armed Forces; and facilitating defense exports while protecting the crown jewels of U.S. military technology.

The PM Bureau leads each of these activities. From them, doors open to deeper cooperation on a wide variety of fronts. Security cooperation is often at the heart of our global relationships. When a country is willing to work with you on sensitive issues affecting their security, they tend to cooperate on other issues as well. When a country buys a superior U.S. defense system, they are also buy-

ing into a relationship with the United States. In this way, PM's work buttresses our diplomatic relationships.

Indeed, PM's portfolio has a global reach, and if confirmed, I pledge to strengthen our security partnerships around the world. This includes supporting Israel's security and preserving its qualitative military edge in these turbulent times in the Middle East; rebalancing our interests and investments in Asia; deepening security cooperation with India and building on our Defense Trade and Technology Initiative; in Africa, empowering our friends to combat terrorism, manage conflict, and modernize militaries; and, of course, enhancing partnerships with allies—with our European allies, both old and new, and with our partners in the Gulf Cooperation Council.

Mr. Chairman, I want to touch briefly on one other critical area of PM's work, defense trade. PM is working hard to support the U.S. defense industry because it is in our national security interest. That is why another high priority will be to advance export control reform if I am confirmed. The goal of this effort is to prevent sensitive technology from winding up in the wrong hands, while streamlining and clarifying the licensing process for defense sales. I want to continue to work with Congress so that we have the best possible system to meet this objective. If confirmed, I also look forward to reinforcing PM's ties to industry. I want U.S. exporters to know that they have a partner in PM who intends to help them beat out competitors and win contracts.

Finally, Mr. Chairman, if confirmed, one of my main priorities will be to strengthen relations between the Bureau and the committee. One lesson I took away from my years of service on this committee is that the finest hours for American foreign policy invariably occur when the State Department and the committee are working together toward the same end.

Thank you again and I look forward to answering your questions. [The prepared statement of Mr. Talwar follows:]

PREPARED STATEMENT OF PUNEET TALWAR

Thank you, Chairman Menendez, Ranking Member Corker, and all the other distinguished members of the committee. It is a tremendous honor for me to testify before you today and to be considered for the position of Assistant Secretary of State for Political Military Affairs.

This committee is in many ways a second home to me and I cherish the dozen years that I spent on the benches behind you witnessing some of the most consequential debates in American foreign policy. If I might, I want to take a moment to introduce to you my two sons, Haris and Ilyas, who are here today. I want to say how deeply grateful I am for the sacrifices my wife and my children have made over my 20 years of public service so that I can be sitting before you today.

Of course, I am also grateful for the confidence that President Obama and Secretary Kerry have shown in nominating me for this position.

Mr. Chairman, Ranking Member Corker, over the past 5 years on the National Security Council, I have seen firsthand how the work of the State Department's Bureau of Political-Military Affairs—or PM as it is known inside the State Department—is absolutely critical to our national security.

The security of the United States is affected by more countries and more regions than ever before. The task of maintaining global security and addressing global challenges must be shared. It is therefore more vital than ever that our friends and partners have the capabilities to address common security challenges.

The PM Bureau is at the vanguard of our global security relationships. This effort involves a wide array of activities:

- Negotiating security agreements around the world to give U.S. military personnel access for critical operations;

- Clearing the long-forgotten minefields of war so that children may play safely outdoors;
- Training international peacekeepers;
- Partnering with others to successfully combat piracy in the Indian Ocean;
- Bolstering the military capabilities of close partners so they can operate more effectively with our military and with each other;
- Bringing foreign officers to the United States to study at our war colleges so they can learn from the best—the men and women of our Armed Forces; and
- Facilitating defense exports while protecting the crown jewels of U.S. military technology.

The PM Bureau leads each of these activities. From them, doors open to deeper cooperation on a wide variety of fronts. Security cooperation is often at the heart of our global relationships. When a country is willing to work with you on sensitive issues affecting their security, they tend to cooperate on other issues as well. When a country buys a superior U.S. defense system, they are also buying into a relationship with the United States. In this way, PM's work buttresses our diplomatic relationships.

Indeed, PM's portfolio has a global reach, and if confirmed, I pledge to strengthen our security partnerships around the world. This includes:

- Supporting Israel's security and preserving its qualitative military edge in these turbulent times in the Middle East;
- Rebalancing our interests and investments in Asia;
- Deepening security cooperation with India and building on our Defense Trade and Technology Initiative;
- In Africa, empowering our friends to combat terrorism, manage conflict, and modernize militaries;
- And, of course, sustaining and adapting close cooperation with our European allies and partners, and with our partners in the Gulf Cooperation Council, to address 21st century challenges.

Mr. Chairman, I want to touch briefly upon one other critical area of PM's work—defense trade. PM is working hard to support the U.S. defense industry because it is in our national security interest. That's why another high priority will be to advance export control reform if I am confirmed. The goal of this effort is to prevent sensitive technology from winding up in the wrong hands, while streamlining and clarifying the licensing process for defense sales. I want to continue working with Congress so that we have the best possible system to meet this objective.

If confirmed, I also look forward to reinforcing PM's ties to industry. I want U.S. exporters to know they have a partner in PM who intends to help them beat out competitors and win contracts.

Finally, Mr. Chairman, if confirmed, one of my main priorities will be to strengthen relations between the Bureau and the committee. One lesson I took away from my years of service on this committee is that the finest hours for American foreign policy invariably occur when the State Department and the committee are working together toward the same end.

Thank you again and I look forward to answering your questions.

The CHAIRMAN. Thank you both for your testimony.

Let me ask you, Ambassador Kaidanow, since 1984 Iran has been designated as—by the State Department as a state sponsor of terrorism. According to the State Department's "Country Reports on Terrorism" issued in May of 2013, Iran in 2012 increased its terrorist-related activity, including attacks or attempted attacks in India, Thailand, Georgia, Kenya. It provided financial material and logistical support for terrorism and militant groups in the Middle East and Central Asia.

If you were to be confirmed, based upon those facts and assuming that there is not a change in course by Iran as it relates to those terrorist and other activities, would you be an advocate of reducing economic and financial sanctions that have been imposed on Iran due to its terrorist activities?

Ambassador K Aidanow. Thank you, Senator. Thank you for the question. I think yesterday the Secretary spoke to some of this during his testimony on the Hill in front of the House. And he was

very clear, and I should be equally clear, that we have a set of concerns with respect to Iran on terrorism that has not wavered. And we have been very clear and very articulate publicly about those concerns.

As far as I can tell and as far as I have been briefed, those concerns persist. We have an array of sanctions on Iran that pertain specifically to terrorism. As the Secretary indicated, as long as those concerns persist and all of this will be assessed very, very closely over the next years, the array of sanctions that we have, the kinds of instruments that we have put in place will remain. Those are the sorts of things, again, that we are very clear about when we speak about Iran.

The CHAIRMAN. I appreciate that, and I have known what the Secretary says. When I am thinking about a nominee, obviously the reason you get nominated is because the Secretary and the President feel that you have expertise and input that will be valuable to them. So I am not looking for the nominee to parrot what the State Department is saying. I want to know when you are sitting there, and I am not there, what your advocacy will be.

And you may be overruled in terms of your advocacy, but I want to know what it is that you would be saying if the conditions were still the same as it related to terrorist activities, would you be an advocate of maybe, well, let us see if there is a course to change the sanctions so that we can get Iran maybe to move in a different direction as it relates to terrorist activities, or would you be an advocate of saying we need to continue these until we see the change in behavior?

Ambassador K Aidanow. Senator, as long as the requirements and the very clear set of standards that we have put in place are not met, then I would be an advocate for maintaining the very strict kinds of standards that we have.

The CHAIRMAN. All right. I appreciate that. Now, as the coordinator for counterterrorism, should you be confirmed, you will guide the policy of the Anti-Terrorism Assistance Program, choosing which countries participate in the program and overseeing assistance provided while the Bureau of Diplomatic Security is responsible for carrying out that policy. What would you do to ensure that policy guidance is being effectively communicated from State counterterrorism to the Bureau of Diplomatic Security? And how would you ensure that counterterrorism activities of other agencies are not duplicative of yours and sufficiently coordinated with you?

Ambassador K Aidanow. Senator, ATA has been an extremely effective tool, as I think you know, in trying to provide some assistance to key counterparts overseas in giving them the tools that they need to address counterterrorism and to be more effective over time. We do that in close coordination within the State Department between my Bureau and, if confirmed, what will be my Bureau, and the Diplomatic Security Bureau. I have seen very good examples of that in Kabul where I worked most recently. I have seen very good examples of that elsewhere. I would anticipate that that kind of high level cooperation and integration of our effort will continue.

And you mentioned the importance of the interagency and ensuring that there is full coordination among the various departments

and agencies that work on these issues. That is an absolute priority for me. If confirmed, I will do everything possible to ensure that there is no duplication of effort.

I will say, again, as I said in my introductory statement that I think what we need to be doing is looking at the full array of tools that we have. The State Department brings a certain number of tools. Some of those are operational, including ETA. But frankly a number of those are also larger capacity-building in terms of development, making sure that countries are moving in the right direction in terms of their social, democratic, and human rights development, because quite frankly, without those things, the long-term social fabric of those countries does not really hold. And that is what creates ultimately the conditions for terrorism and for terrorist recruitment.

So in essence, I think the ETA part of that is absolutely critical. It requires full attention from all of us in coordination. But it is part of a larger set of pieces that we want to put together that I hope will be our focus.

The CHAIRMAN. Thank you. And now, Mr. Talwar. Again, with the admonition that I do not want to hear what the administration has to say. I know what they say on some of these things. I would like to get your insights. You are going to be advocating or proposing policy views within the context of the Department. So I would like to get a sense of where you are coming from, and it is in that context that I ask the question.

How has the Arab Spring affected your thinking on security assistance programs? I understand that the Department looks at arms sales on a case-by-case basis, but that strikes me as a rather ad hoc way of managing an important asset of U.S. security assistance. Is there, or should there be, a more formal policy guidance on how to best design U.S. security programs in such a fluid region?

Mr. TALWAR. Thanks, Mr. Chairman. I think your question was a good one as to whether we need an overarching approach. And in general, I prefer to have overall policies that guide what we might do in individual cases. And so, if confirmed, that will be my inclination. You asked how I would approach the situation.

In terms of the Arab Spring I think it has, you know, created a certain set of facts, some that are common across the region and some that are unique. If you look at North Africa, for example, Libya, in particular, you have a situation where you have difficulties that have been created in terms of central government authority, reliable security forces. And I believe the PM Bureau at this point is actually engaged in some efforts along those lines to help the Libyans develop security forces.

And so, you have situations of state capacity dropping off in certain situations, at least for the time being. And to help many of these countries make a successful transition during the Arab Spring, I would think that one would want to, in those circumstances, do what we can to help democracy take hold and to give these democratizing countries the ability to, in fact, enforce the law and to protect their borders, and to prevent open spaces that can be exploited by violent extremists.

You have another set of circumstances, which is a result of the Arab Spring, and that is in the gulf, and some of the acute security dilemmas that they face have been heightened in this period. They have always had the concern about Iran. You know, Syria obviously has brought up another set of concerns, and, you know, the advance of certain Islamist political movements as well. And so they have a greater set of concerns now. And we are doing more and more to try to increase our cooperation with the GCC. I generally think that is a good thing if we can do more to help those countries feel more secure about their situation.

Of course, whenever you are thinking about security assistance or arms sales in that region, we have to keep it uppermost in my mind, as I said in my testimony, Israel's qualitative military edge, and so that will be another major consideration that I would bring to the table in all of that.

The CHAIRMAN. And one final—well, one final question, at least at this point. As an aftermath, one of the elements of the Arab Spring is Egypt. And as the committee continues to grapple with what is our national interest—national security interests and what is the best way to pursue that with Egypt at least as it is today, would United States security interests be better served by focusing upon enhancing Egypt's counterterrorism and counterinsurgency capabilities rather than its conventional battlefield platform, such as tanks and combat aircraft?

Mr. TALWAR. Thanks, Mr. Chairman. I know that this is an area of considerable focus by the committee and by the administration as well. It is not a policy I have worked directly on, but should I be confirmed I would imagine I will spend a fair amount of time on this.

And as I understand it, I think there is a general view that as we move into the 21st century, new kinds of threats that are emerging as countries, you know, think about how to reshape their security forces, I think generally some of these, you know, the larger conventional model that Egypt has employed may not be perfectly suited to the challenges of the 21st century. And so, I think you are exactly right. Looking to more agile, more counterterrorism focused type of activities, which, you know, frankly, is in our interests, it is in Egypt's interest, and in the interest of some of our partners in the region, for example, the Israelis. Those are the kinds of things where I think we would probably want to move.

But again, my alibi is that let me get on the job, if I am confirmed, and I will take a hard look at it. But that is my inclination.

The CHAIRMAN. I would look forward to hearing your thoughts, in general, about how we rebalance U.S. military assistance to Egypt.

Senator Corker.

Senator CORKER. Thank you, Mr. Chairman. And I thank each of you for your willingness to serve in the positions for which you have been nominated. I appreciate the time in our office both with me personally and our staff, and I know there will be a number of followup questions, so I want to, if I could, Mr. Talwar. I found our conversation yesterday about the negotiations with Iran to be the best that I have had on the topic, and instead of being sort of a pat on the head from the administration saying trust us, I found

it revealing. And I appreciate the time you spent in talking about it, and I hope we follow up in a classified setting. But in this arena, talk to us a little bit about what your role has been in the discussions with Iran over their nuclear program.

Mr. TALWAR. Sure. Thank you, Mr. Chairman—sorry, Ranking Member Corker.

Senator CORKER. I am hoping that in about a year or so.

Mr. TALWAR. You know, I was around here long enough that the ranking member became the chairman, the chairman became ranking member, so it is just safe to call everybody “Mr. Chairman.”

Senator CORKER. Good.

Mr. TALWAR. So again, I do thank you for the opportunity for sitting down with me, and I enjoyed the conversation as well. My role was as follows. I was a member of a preparatory exploratory team that met with the Iranians on a couple of occasions to see if we could get talks going on the nuclear program. We met with the Iranians in Oman last summer. We had another meeting in March of this year. It turned out the Iranians could not move forward with the talks at that point.

In the summer after President Rouhani’s election, there was an exchange of letters between President Obama and President Rouhani, and the Iranians agreed to move forward with talks at that time. We then had an accelerating pace of discussions bilaterally with the Iranians, and that process was always tied from the get-go to the P5+1 process.

It was made clear. It focused exclusively on the nuclear issue, so there were no other, you know, side discussions under way. And it was merged, you know, after the conversations gained traction with the P5+1 process. And so, I was a participant in both the bilateral discussions as well as in the P5+1, but I was a member of a team that was led by the State Department, in particular by Deputy Secretary Burns and Under Secretary Sherman.

Senator CORKER. Yes. And as we talked yesterday, what is it about the circumstances today that give you some sense that we can actually get to an end state that is acceptable to the United States or that we cannot? Can you give me your sense of how things are internally and how things you think may be different or not different relative to us getting into an appropriate end state?

Mr. TALWAR. Sure. Thank you, Senator Corker. I think, you know, as we discussed yesterday, it is tricky business to try to see into the internal workings of Iran at any given moment and, you know, project out. There have been so many twists and turns over the years. And so ultimately we have to judge them by their actions, and we have to judge them by very strict, objective criteria.

Having said that, you know, I do believe that the election of President Rouhani was a rejection by the Iranian people of the status quo, of the direction that they were headed, and it was a cry for change. And the question now, and this is not to say that, you know, by any stretch of the imagination the election was, you know, free and fair and up to Western standards. He simply to the Iranian public represented the possibility of taking the country in a different direction. And that, I think, puts a certain degree of pressure on the Iranian Government.

And, you know, there are a lot of dynamics under way there, rivalries between some of the elite. You know, the Supreme Leader does remain the decisionmaker at the end of the day, but underneath that, there are rivalries. The Revolutionary Guard is part of the mix as well. You know, the outsized influence they gained over the years, particularly under President Ahmadinejad, and I think you are seeing some degree of push back as well. These are very early signs. We do not know where it is going to go. But, you know, there is a chance certainly if President Rouhani is going to be responsive and the entire leadership to where public wants to go, you have that pressure on them.

You know, again, and I think the President said this over the weekend, I think you put the odds of a comprehensive deal at about 50/50 because we do not know the direction that this is going to head.

Senator CORKER. Let me ask you a question. Based on your conversations, how much do the folks involved in these negotiations and those that can actually make something happen knowing that there are rivalries internally, how much attention do they pay to internal U.S. politics and what is happening in Congress and that kind of thing?

Mr. TALWAR. An extraordinary amount of attention is paid to what happens in the Congress.

Senator CORKER. Let me ask you this question. I would have thought that. So I am concerned that there is a possibility—I do not know this yet—that Congress may, in fact, in the name of weighing in, potentially try to pass something that does not do anything, but makes it look as if Congress has done something to try to affect the negotiations. Is it your thinking that if Congress were to do such a thing, which I hope Congress would not, but if Congress were to do such a thing, would the Iranians see through that and understand that, in essence, that was the case?

Mr. TALWAR. You know, there are no absolutes in this business. My best assessment, Senator, and this is one, I think, that, you know, is held by the administration, is that, you know, respecting the role of the Congress and the different views on members of the committee here, my view is that it would be seen by the Iranians as potentially a move away from the track that we are on, negotiations and diplomacy. And a sense could set in that would do one of two things or both. One, either make them think twice about following through on the commitments on the Geneva deal. The second—

Senator CORKER. Even if they realize that Congress—it is sort of a triumph of politics over policy and it really was not doing anything to affect outcomes, so you are saying it still would do that.

Mr. TALWAR. That is what we have understood from them.

And, you know, their politics are different internally clearly, but they do have theirs as well. And again, I do not want to sit here and make absolute statements.

Senator CORKER. Let me ask you this. If Congress were to weigh in in a different way and basically say we are not going to deal with additional sanctions, but we want to ensure that at a base the Security Council resolutions are adhered to as a base case at the end state, how would that affect, do you think, the negotiations?

And let me just say the administration continues to talk about Congress and Congress getting involved too much and messing this up, and yet the administration continues to refer to the hardliners in Iran as the reason they have to move ahead so quickly and do something. And yet I do feel that Congress has, with Chairman Menendez's leadership, in years past has actually sort of provided that hard line to help the administration get to the point where we are.

So why is it in a negotiation different for Iran than it would be for us to at least try to get the administration to acknowledge, and Iran to acknowledge, that as a best case the end state would have to be at least the U.N. Security Council resolution that has been agreed to by the United Nations.

Mr. TALWAR. Well, thank you, Senator. I mean, as a person who was involved in policy on Iran and trying to bring to bear all the tools we have available to us, you know, to confront the Iranian in its many dimensions. As we talked about yesterday, you know, from my perspective, you know, the tools that we got from the Congress and the leadership of Chairman Menendez and Senator Kirk and others were really quite useful in terms of helping us to bring Iran to the table.

I do not think there is any doubt in terms of in the minds of the Iranians about where Congress is coming from here. They know that. They know that, you know, you are ready to go. And as President Obama has said and Secretary Kerry, we would be there with you. If we see some sign of backsliding, of breaking the deal, of not following through with a comprehensive deal. And so I do not think there is any doubt about what Congress would do in the end on this.

Senator CORKER. Well, I know my time is up, and I appreciate the chairman's indulgence. And we will follow up with some written questions about things like arms sales and counterterrorism, and we appreciate both of you playing you are going to play soon in those capacities.

Thank you.

The CHAIRMAN. Senator McCain.

Senator MCCAIN. Thank you, Mr. Chairman. Thank the witnesses. Mr. Talwar, do you believe that 6 months is enough time to reach and conclude a treaty agreement with Iran?

Mr. TALWAR. Mr. Chair—Senator McCain—I apologize—I believe that that is the timeframe set out in the Geneva deal, and it all depends on how serious the Iranians are at the end of the day.

Senator MCCAIN. Well, is it enough time for us to ascertain whether they are serious or not?

Mr. TALWAR. We will be able—we have as part of the Geneva deal a fairly robust set of verification measures that we will be looking to.

Senator MCCAIN. But you are not answering my question. Do you think 6 months is sufficient time to either conclude or not to conclude an agreement between the United States and Iran?

Mr. TALWAR. The goal would be to conclude it, and I think we can do it. But again, it depends upon their degree of seriousness.

Senator MCCAIN. I will ask for the third time. Do you think that the Iranians are serious enough for us to get an agreement in 6 months?

Mr. TALWAR. Senator, yes, if the circumstances are correct. If they are prepared to—we have not begun the negotiations on the comprehensive deal, so I cannot tell you that we will be able to. But that is the absolute goal, and we should be able to do it in that timeframe.

Senator MCCAIN. Can you tell me whether you would support continued armed sales to Egypt under the present circumstances?

Mr. TALWAR. Well, again I am not currently responsible for the Egypt policy, but I know this is one that I will have to be working on in the position should I be confirmed. And on Egypt, the approach is to continue to provide security assistance in those areas that are in our mutual interest.

Senator MCCAIN. Even though there is a law that says that if there is a coup, that all military aid will be suspended.

Mr. TALWAR. That is correct, Senator. And I believe that the policy in place now is one which is holding up several high profile items, and that the administration's policy is consistent with that underlying law at the moment.

Senator MCCAIN. Even though the law says that if there is a coup, that all military aid will be suspended, and we have not suspended all military aid. Do you believe that we are in compliance with the law?

Mr. TALWAR. Again, I have not been responsible for this policy, so I cannot give you the details. My understanding—

Senator MCCAIN. Can you tell me our policy toward Egypt?

Mr. TALWAR. The policy toward Egypt is to promote a nonviolent, peaceful transition to a democratic—

Senator MCCAIN. Do you think that is happening now?

Mr. TALWAR. I believe that are some positive steps that are being taken, but there are other concerning signs as well, Senator.

Senator MCCAIN. Tell me one of the positive signs.

Mr. TALWAR. Again, as I understand it, there is some work under way on the constitution, but again the most—

Senator MCCAIN. Have you seen that constitution which enshrines the role of the military immune from any other institution or form of government, including setting their own budget, including appointment of their own Secretary of Defense? Do you think that that is a good constitution?

Mr. TALWAR. Senator McCain, I cannot speak to the details of the constitution under discussion. But if I could for a second, I would like to tell you that there are concerns about recent developments in Egypt, particularly the treatment of protestors. And obviously that is something that we will be watching closely.

Senator MCCAIN. Thank you. It is nice to see you again, Ms. Kaidanow. The last time I saw you was in Kabul, and thank you for your great work there. We very much appreciate it.

There are 5,000 Sunni foreign fighters in Syria today. As you know, there are over 5,000 Hezbollah, and that number, according to my calculation, exceeds any previous conflict in modern history, even more fighters than we saw in Afghanistan in the 1980s. As these men become more radicalized, they spend more time in the

trenches, are you worried that the situation in Syria is now becoming more and more radical Islamist groups, such as al-Nusra versus Bashar Assad's forces, and the Free Syrian Army and the moderates are being squeezed out? In fact, I understand from this morning's news that the United States is suspending humanitarian aid because of our lack of control of the border areas.

Ambassador KAIDANOW. Senator, just one small change or correction to what you just said, which is my understanding is that we are not suspending humanitarian aid. We are suspending some of the nonlethal assistance that we provided to the opposition in the past.

Senator MCCAIN. You would think—if you cannot get the nonlethal in, then you are not going to be able to get any other assistance in, is that not true?

Ambassador KAIDANOW. No, you are correct. I just wanted to specify that only because I think you are absolutely correct. We are very, very concerned about the question of foreign fighters flowing into Syria. Hezbollah has been a particular concern to us, which I highlighted in my opening remarks, not just, by the way, in Syria, but elsewhere also.

I think with respect to Syria generally, it is very, very clear that we need a political solution to this. There is no military solution per se. The longer the situation goes on, the more, frankly, conducive the situation becomes for the—

Senator MCCAIN. Is there anything that makes you inclined to believe that when Bashar Assad is clearly winning that there is going to be a “political solution?”

Ambassador KAIDANOW. I think it is quite difficult. The Secretary, Ambassador Ford, others, as you know, have been working very hard to bring the parties together at a Geneva II conference for the beginning of next year. I do not want to—again, I am not responsible specifically for Syria policy, so I do not want to underplay the difficulty of all those efforts. But I do think that that is an essential grounding for our policy as a whole.

With respect specifically to the foreign fighter issue, we are working quite diligently, as I understand it, with a number of our foreign partners, both in Europe and in the region to try and stem that tide. To actually highlight something that is a positive, I think we were successful in getting our European counterparts to designate the military wing of Hezbollah this past year. And I think what that highlights again is the understanding that the impact of this is growing over time, and that we really do need to focus in on it as a real problem. We also designated al-Nusra—

Senator MCCAIN. I would hope so. After over 2 years it would be a good idea to focus in on this as a real problem.

Ambassador KAIDANOW. Agreed, Senator, and we are doing so. And I think that—

Senator MCCAIN. Actually you are not doing anything. Actually in reality, if you talk to people on the ground, which I do all the time, we are doing almost nothing. And the Saudis and other countries that are assisting the Free Syrian Army have decided to go their own way because of our abject failure to assist those people. And those are the facts on the ground.

I thank you, Mr. Chairman.

The CHAIRMAN. Senator Rubio.

Senator RUBIO. Thank you. Mr. Talwar, you said in your testimony that the finest hour of American foreign policy invariably occurs when the State Department and the committee are working together toward the same end, right?

Mr. TALWAR. That is correct, Senator.

Senator RUBIO. So about the conversations that you and your colleagues had in this back channel with Iran, did you brief the chairman or the ranking member of this committee about those talks, or did anyone brief them about it?

Mr. TALWAR. I did not. I do not know if that occurred. I do not believe so.

Senator RUBIO. Were any Members of the Senate, or the House, or Congress briefed at all about these talks at any point?

Mr. TALWAR. Again, I cannot speak for everybody, but from my perspective, I do not believe that there were discussions.

Senator RUBIO. Your testimony said that nothing other than the Iranian nuclear program were discussed in the back channel negotiations, correct?

Mr. TALWAR. The Iranian nuclear program, that is correct. You know, it depends on which sort of forum you are talking about. There have been in other—a number of channels that we have had with the Iranians, including New York, including the P5+1. There have meetings on the margins of P5+1—

Senator RUBIO. But just specifically this back channel.

Mr. TALWAR [continuing]. Where, for example—in the back channel.

Senator RUBIO. It was about Iran and the nuclear—

Mr. TALWAR. Yes.

Senator RUBIO. OK. So my understanding is there was no conversation about their abysmal human rights record, right?

Mr. TALWAR. The purpose of the back channel, if you will, which was, you know, merged with—or was connected to the P5+1 was the nuclear issue because the P5+1 focuses on the nuclear question.

Senator RUBIO. I understand, but I wanted to be clear about what else was discussed. So, for example, their ongoing support of terrorism, their backing of Assad, of Hezbollah, of Hamas, their involvement in a plot to assassinate a foreign ambassador here in Washington, DC. None of these issues were part of that conversation.

Mr. TALWAR. That is correct, they were not part of the conversation.

Senator RUBIO. What about detained American citizens, like Pastor Abedini, or Amir Hekmati, or Robert Levinson?

Mr. TALWAR. American citizen issues have been raised in several discussions in some meetings that I have been in particularly on the margins on the P5+1. Secretary Kerry raised this issue in his first meeting with—

Senator RUBIO. All of the American citizens?

Mr. TALWAR. Yes.

Senator RUBIO. OK. And the release of several Iranians accused of violating sanctions imposed on Iran's procurement and technology abroad, most recently, Mr. Mojtaba Atarodi. Were these part of the talks?

Mr. TALWAR. No, they were not, Senator.

Senator RUBIO. OK. I am going to share you with my assessment of Iran, and I would love to have your take on it. My assessment is that, for Iran, the purpose of these talks is to see how much sanctions relief they can get without agreeing to any irreversible policy concessions. Would you share that view or not given the fact that you have met with them and I have not?

Mr. TALWAR. Yes. I believe—I share much of that view, Senator. I believe that their goal is to gain as much sanctions relief as possible, yes, and to hold onto as many nuclear assets as possible. I think we are clear-eyed about what they would like to be able to do.

Senator RUBIO. Is it fair to say that in some way they are informed by North Korea's playbook on this matter?

Mr. TALWAR. Well, Senator, I am generally familiar with the North Korea situation. I did not hear them bring that up at any point.

Senator RUBIO. I understand they probably would not telegraph it. But the fundamental question is my fear, and I think it sounds from your testimony like you share it, is that what they have learned from North Korea is you gain some sort of short-term interim deal with the United States, and then when no one is looking or the world is focused on something else, you break out or you reach a capability to be able to break out. And it sounds from your testimony like you understand that that is a very real possibility, perhaps even a very real probability. Is that accurate?

Mr. TALWAR. Well, Senator, I do not believe that is a probability. We know what their aim is, and our aim is to keep them as far as possible from breakout and to move them back from where they are. And in the Geneva deal, what we have achieved is a halt to the advancement of their program, a rolling back of it in certain key respects, and some very strong transparency and verification measures. And we have pushed them back.

There is an article I would commend to you by Graham Allison in in *The Atlantic*, and it uses a football analogy. And he wrote around about the same time that Prime Minister Netanyahu actually gave his speech at the U.N. General Assembly last year talking about this issue. And he basically says, and I will keep it short here because I do not want to use all your time, that we have moved with this deal—he said Iran was essentially in the red zone. It was at the 10-yard line, and we basically moved them back to the 30-yard line.

And so, we know what their intent is, but our intent—and we still have the pressure of our sanctions there. So I would say we are going to be very vigilant about this. We will be very tough, and we will keep trying to push them back further down the field.

Senator RUBIO. Yes, the problem with that analogy is that Iran only needs a field goal, and their kicker can kick 52 yards pretty consistently. And so, the 30 and the 15 are not much of a difference for them.

Here is my other question with regards to this. Iran says their nuclear program is peaceful, that what they want is energy and for medical purposes. Do you believe that to be true, or do you believe

that, in fact, they do want a weapon, or at least the capability of a weapon?

Mr. TALWAR. Senator, I think that a lot of their activities over the years have been inconsistent with a purely peaceful program. But what we have said to them if you want a purely peaceful program, there are ways that you can demonstrate that, and there are a lot of questions that have to be addressed about their past activities. And so, you know, I think the record is fairly clear that they have at least in the past sought to obtain that capability.

Senator RUBIO. Well, it is not just their past activities, right? I mean, they continue to develop rocket technology, long-term rocket technology as well, which—the purpose of which really—the only reason from a cost-effective perspective to develop long-range rockets is to be able to put a nuclear warhead on them. They continue to do that.

Mr. TALWAR. They have—again—

Senator RUBIO. And that is not part of the talks.

Mr. TALWAR [continuing]. A number of activities are very threatening. I will not sit here and defend what they are doing. They have been threatening, and this goes for a range of activities, some of which we have put a halt to with the Geneva deal.

Senator RUBIO. Does any government in the world use terrorism as a tool of statecraft more than the Iranians do?

Mr. TALWAR. My colleague would probably be better placed to answer that. But my understanding is that the State Department reports have consistently found that Iran is the leading state sponsor.

Senator RUBIO. OK. Thank you very much.

The CHAIRMAN. Senator Corker has a followup question.

Senator CORKER. Thank you. I appreciate that, and I appreciate the line of questioning of all the people here today. And it prompted a thought. I was just on the Arabian Peninsula, and what Senator McCain has just mentioned about Saudi Arabia is more than true. And I know several of us have been to refugee camps on the border of Syria and both Turkey and Jordan and have looked refugees in the eye and have told them that help is on the way based on assurances from the administration. And then we all know that help is not on the way. And I do not know what we will do at our next visits to see people in great distress who have been displaced without the American support that has been broadcast, and yet not forthcoming.

So I ask this question. And our credibility, there is no question, has been hugely damaged, and people have been massacred. Families have been disrupted because we have not done what we said we would do with the moderate opposition.

There is no question that is the case. But here is the question I have for you, Mr. Talwar. You were involved in these prenegotiations that Senator Rubio mentioned, certainly were never shared. And I am just wondering when you looked at—when what happened relative to Syria policy and the President took the walk—the famous walk he took on that Friday night, and we ended up changing our policy there. And obviously the redline was never adhered to.

Was there any wink and a nod relative to what we did, what we did not do in Syria relative to what we are doing right now with the negotiations in Iran? Did that come into play? Did that set the environment? Did that impact discussions that have been under way while you have been in those discussions?

Mr. TALWAR. Senator, I do not believe they had any impact that I could discern on the discussions one way or the other. My sense is that, you know, both sides were very disciplined in sticking to the issue at hand. You know, I cannot speak to folks' larger considerations, but I did not see any impact, No. 1. No. 1, I did not see any, you know, decisionmaking on our side that, you know, took account of the Iranian nuclear discussions, if that answers your question.

Senator CORKER. Let me ask you this just being an intelligent person who is coming into a responsible role. Would you sense that if you were on the Iranian side watching our activities there, would that enhance, in your opinion, your ability if you are on the Iranian side to think that you might actually negotiate a deal that would be in your favor?

Mr. TALWAR. Again, it is hard to get into their mindset. I do not believe so because quite honestly they had enough going on with the nuclear negotiations. Those were a tough set of discussions, and they had a lot of—

Senator CORKER. They were not paying attention to what was happening in their client state with people that they are going to take sanctions, money, relief, and help support in Syria? They were not paying attention to that connectivity at all and how it was going to empower them to more fully support Hezbollah and more fully support and change the balance on the ground? They were not paying attention to that?

Mr. TALWAR. Senator, I am sure that Syria—obviously as you know, I agree with you. It is a client state. It is something that is, you know, they think quite a bit, spend a lot of time thinking about. So I am not denying that. What I can tell you is I only speak from my perspective, which, again, was not necessarily, you know, sort of the center of everything here. But from my perspective, the folks that we interacted with, or I did, I did not see—and the issue of Syria did not arise in that matter. It was really focused on the nuclear question. And I did not see any impact that events at that time had on the course of the discussions.

Senator CORKER. Thank you.

The CHAIRMAN. Just a couple of followups based upon these lines of questioning that spurred some questions in my own mind. Mr. Talwar, let me ask you, you in response to Senator Corker said that the Iranians pay a great deal of attention to what happens here in the Congress. I assume that in addition to attention, they have the sophistication to understand the difference between the executive branch and the Congress as a coequal branch of government. Would you say that that is a fair assumption?

Mr. TALWAR. Mr. Chairman, thank you for that. I think that some of them do. Some of them are very sophisticated, such as the Foreign Minister who spent—you know, educated here partially, spent a fair amount of time. There are others in that system who quite honestly—

The CHAIRMAN. President Rouhani?

Mr. TALWAR [continuing]. Do not see that and think that we—

The CHAIRMAN. President Rouhani?

Mr. TALWAR. President Rouhani probably understands that.

The CHAIRMAN. So the Foreign Minister and the President of Iran both understand the difference at the levels of people who are negotiating here. And as a matter of fact, is it not true that the plan of action, as I read the language, that the administration considered that reality because it says in the plan of action that to the extent that the executive branch has the power to enforce or not to enforce sanctions, that they would not enforce the sanctions relief that is being considered in the plan of action. But that clearly suggests that the Congress is not bound by that. While it may be the desire, it is not bound by that.

Mr. TALWAR. Having sat on the bench behind you, I always take very seriously the constitutional prerogatives of the Congress. And I think what you saw in there reflected a respect for the constitutional separation of powers. However, I think the language there is clear in the sense that the administration would oppose new sanctions.

The CHAIRMAN. Well, I did not see that. Now, you can imply it in the language, but I read the language plainly, and the language plainly was telling the Iranians to the extent that the executive branch has the power to pursue or not pursue additional sanctions, that it would forgo doing so. But it specifically left out the legislative branch. While that may be their desire, it did not say that we are also binding somehow the Congress of the United States.

Mr. TALWAR. Right. Again—

The CHAIRMAN. So is that the case, though, regardless of what—I know what the administration has said. I do need you to repeat it. The question is, is that not part of the agreement?

Mr. TALWAR. Mr. Chairman, the interpretation and what you have heard from the President and the Secretary I think reflect our understanding of the joint plan of action, which is that the administration would impose—again, respectful of Congress' constitutional role and responsibility to impose sanctions—

The CHAIRMAN. But you are not telling the Iranians that we can bind the Congress of the United States; otherwise you would have just said the United States will not pursue such actions. You clearly were seeking to define for them should there be action by the Congress that there is a separation.

Mr. TALWAR. Yes, and I think that—

The CHAIRMAN. OK. So let me ask you this. So I have heard from the Secretary and others that if unfortunately this were to fail, that the administration would be one of the first people knocking on our door to pursue additional sanctions. Is that a fair statement?

Mr. TALWAR. That is correct.

The CHAIRMAN. And so, I would ask you whether sanctions that further reduce the amount of petroleum that countries could purchase from Iran, sanctions that would expand the nature of petroleum-related products, would that be a sanction that would do nothing?

Mr. TALWAR. I am sorry, Mr. Chairman?

The CHAIRMAN. Would that be considered a sanction that would, in essence, do nothing? Would it have a consequence?

Mr. TALWAR. It would have a consequence.

The CHAIRMAN. Let me ask you, if you were to sanction mining and construction as additional sectors of the Iranian economy, not subject to sanctions now, would that have a consequence or would it do nothing?

Mr. TALWAR. When you say—I am sorry, Mr. Chairman, when you say have a consequence, you mean for the negotiations?

The CHAIRMAN. No, for the Iranians if, in fact, such a sanction was pursued outside of the negotiations? I am talking about now we have exhausted the process. The process did not lead to the successful conclusion we want. The administration is coming back for sanctions. Would the administration say that sanctions as in the first category expanding the universe of what is a petroleum product subject to sanction, reducing further the amount of petroleum to be purchased, pursuing mining and construction sectors, which are presently not sanctioned, would those be significant sanctions against the Iranian regime?

Mr. TALWAR. Mr. Chairman, I believe those would be significant sanctions. I cannot speak to what specific sanctions the administration would seek in consultation with you.

The CHAIRMAN. I understand that.

Mr. TALWAR. But I think, you know, we have all seen the bills that are out there, and a lot of them have very significant hard-hitting—

The CHAIRMAN. Would sanctions against countries and entities that seek to help Iran expand its ballistic missile capacity, would that be significant in nature?

Mr. TALWAR. Without seeing the underlying language, Mr. Chairman, I believe that, yes, it sounds as if it would be.

The CHAIRMAN. So if, in fact, it came to a point in time if the administration were seeking sanctions—that is, universal sanctions—that would do something as it relates to the Iranian economy, Iranian consequences.

Mr. TALWAR. Mr. Chairman, I believe those would be significant sanctions.

The CHAIRMAN. Right. Now, let me just ask you, do you think, having been involved with the negotiations that took place and having—and still being part of the administration at this point, do you think that the administration would want the end state of the negotiations with Iran to be defined by the Congress of the United States?

Mr. TALWAR. Mr. Chairman, I think that on the question of the end state, I believe that we have not even begun the negotiation with the Iranians. We will also be having consultations with some of our partners, including the Israelis, very soon on questions related to that. So, you know, at this point while, you know, we would want, I believe, post-consultation with you, ideas, and so forth, that to have a public definition of the end state at this point is not something that we would see.

The CHAIRMAN. Do you think the administration would want some of its existing prerogatives and waivers to be rescinded or further constrained?

Mr. TALWAR. No, Mr. Chairman, I do not believe so.

The CHAIRMAN. With thanks to both of you for your testimony. There may be additional questions for the record, which will remain open until noon tomorrow. We thank you for your testimony. And if you get questions in the record, we urge you to answer them expeditiously so we can consider your nominations at a business meeting. Thank you very much.

As we excuse this panel, let me call up our third and final panel of the day. Our third panelists today are Michael Hammer, nominated to be Ambassador to the Republic of Chile, Kevin Whitaker, nominated to be the Ambassador to the Republic of Colombia, and Bruce Heyman, nominated as Ambassador to Canada.

Michael Hammer has served as special assistant and senior director of press and communications at the White House and spokesman for the National Security Council. His Foreign Service includes assignments in Bolivia, Norway, Iceland, and Denmark.

And I want to take a moment to make a couple of special remarks about Mr. Hammer's father, Michael Hammer, Senior. Public service and a love and commitment to Latin America was a driving force in his father's career as it is for Michael. Mr. Hammer, Senior, worked for many years for the AFL-CIO's American Institute for Free Labor Development. He served in a number of countries in Latin America where he promoted democratic trade, unionism, and agrarian reform. And sadly and tragically, Michael's father and two of his fellow colleagues were gunned down by a right-wing death squad while working in El Salvador in 1981, so I want to say that our country owes a debt of gratitude to your family.

I also recognize two of your father's friends and colleagues who are here today to show their support, Mr. Joe Campos and Mr. Jim Hollway. Welcome back for your years of service and advocating for the rights of workers throughout the Western Hemisphere.

Kevin Whitaker is the nominee for Ambassador to the Republic of Colombia. He is a career member of the Senior Foreign Service, currently Deputy Assistant Secretary of State for South America in the Bureau of Western Hemisphere Affairs. He was Deputy Chief of Mission at the U.S. Embassy in Venezuela, and has served in the State Department as Deputy Director of the Office of Cuban Affairs and the Office of Mexican Affairs.

Our third panelist is Bruce Heyman, nominated to be Ambassador to Canada. Mr. Heyman is the managing director of Private Wealth Management at Goldman Sachs. He is the business leader counsel/advisor for the Committee for a Responsible Federal Budget, Fix the Debt Coalition, and serves on a number of boards, including the Executive Committee for the Chicago Council on Global Affairs.

Welcome to all of you. And let me start with Mr. Hammer and move down the line. Again, your full statements will be included in the record. We would ask you to summarize your statements in about 5 minutes or so. And, of course, if you have any family or friends, please introduce them to the committee.

STATEMENT OF HON. MICHAEL HAMMER, OF THE DISTRICT OF COLUMBIA, TO BE AMBASSADOR TO THE REPUBLIC OF CHINA

Mr. HAMMER. Thank you, Mr. Chairman. Especially thank you for your very kind words in memory of my father.

Mr. Chairman, members of the committee, Senator Rubio, Senator McCain, it is a great honor and privilege to appear again before this committee, this time as the nominee to be the next United States Ambassador to the Republic of Chile.

If I may, I would like to recognize my family whose steadfast support has enabled me to serve our great Nation for over 25 years, both abroad and at home. With me here today is my wife, Margret Bjorgulfsdottir—I think she is toward the back—who has sacrificed career opportunities to support my life in public service. Margret has always been there for me and for our three wonderful children, particularly when my duties took me away from the family.

We are so proud of our kids, who have been young diplomats in their own right. Our daughters are here, Monika, who is studying broadcast journalism at Syracuse's Newhouse School, and Brynja, who is a seventh grader, who will accompany us to Chile if I am confirmed. However, our son, Mike Thor, who just started engineering at Cornell, is not here, and I sure hope he is studying for his finals.

With the forbearance of the committee, as the chairman mentioned—

The CHAIRMAN. Your family moved to the very front, so they are closer to you.

Mr. HAMMER. Oh, terrific. Thank you, sir. With the forbearance of the committee, I would like to again recognize my parents, Mike and Magdalena. When I was a teenager, my father gave his life for our great country. It was my dad's idealism and commitment to advancing America's interests abroad and making the world a better place which motivated me to join the Foreign Service. I am honored that two of his former AIFLD colleagues, Joe Campos and Jim Hollway, would come today for this important moment in my life, which my father would have loved to have seen.

Unfortunately my mother could not make it from Spain, but to her if she was able to navigate the Internet and watch the hearing, I say, Mami, gracias.

Having just served as Assistant Secretary for Public Affairs, I know the importance of American leadership in the world and recognize the need to partner with others in order to address the global challenges, particularly with countries that share our values. As Ambassador, I will work relentlessly to gain support for our policies, foster relationships that advance our interests, promote business opportunities that create American jobs, and tell America's story.

When I served at the White House at the beginning of this administration, I had the privilege of traveling with President Obama to the Summit of the Americas where he launched a new era of partnership with the hemisphere based on mutual respect, common interests, and shared values; a partnership aimed at improving the lives of the citizens of the Americas by promoting economic opportunity, energy cooperation, citizen security, and human rights.

These goals provide the basis for our excellent relationship with Chile today. If confirmed, I intend to build upon those close ties and work further with Chile as a global partner for the United States. Chile has been and will be an increasingly valuable partner in our hemisphere and around the world in three key areas: advancing democratic principles and human rights, promoting prosperity and economic opportunity, and enhancing security and advancing peace.

On democracy and human rights, Chile is a shining example of a peaceful transition from the Pinochet regime to open and transparent governance. In fact, this coming Sunday, Chileans will go to the polls to elect their sixth President since returning to democracy.

On economics, Chile is a reliable trading partner, is firmly committed to free trade, and acts as a key member of the OECD. Together with Chile, the United States is now working to conclude the historic Trans-Pacific Partnership, a high-standard 21st century trade agreement that will promote regional economic integration, prosperity, and opportunity. Furthermore, the United States recently obtained observer status to the Pacific Alliance, where we share with Chile, Colombia, Mexico, and Peru an interest in expanding free markets, reducing inequality, opening trade, and welcoming foreign investment.

On security, our countries enjoy a strong defense relationship. Chile is a key contributor to the U.N. mission in Haiti, also trains police officials from Central America, and participates in counter narcotics efforts in the Caribbean.

Rest assured that if I am confirmed as Ambassador, I will focus on ensuring the safety and security of Americans living and traveling in Chile. In preparing for this assignment, I have been thoroughly impressed by the range and scope of our programs in Chile as well as with Embassy Santiago's high caliber American and locally engaged staff who make invaluable contributions every day. I would be extremely proud to have the opportunity to lead our Embassy team if confirmed.

Mr. Chairman, let me close by saying how deeply grateful and humbled I am by the confidence President Obama and Secretary Kerry have shown in me with this nomination. If confirmed, I pledge to work closely with you, your colleagues, and the administration to further deepen the partnership between the United States and Chile.

Thank you very much, and I look forward to answering your questions.

[The prepared statement of Mr. Hammer follows:]

PREPARED STATEMENT OF MICHAEL A. HAMMER

Thank you, Mr. Chairman, members of the committee. It is a great honor and privilege to appear again before this committee on this occasion as the nominee to be the next United States Ambassador to the Republic of Chile.

If I may, I would like to take a moment to recognize my family whose steadfast support has enabled me to serve our great Nation over the past 25 years both abroad and at home. The Foreign Service is not just a career; it is a call to serve our country. And that call goes out to the whole family. With me here today is my wife, Margret Bjorgulfsdottir, who has sacrificed career opportunities to support my life in public service. Margret has always been there for our three wonderful children, particularly when my duties took me away from the family.

We are so proud of our kids, who have been young diplomats in their own right: Monika, who is studying broadcast journalism at Syracuse's Newhouse School; Mike Thor, who just started engineering at Cornell; and Brynja, who will accompany us to Chile, if I am confirmed.

With the forbearance of the committee, I would also like to acknowledge my parents, Mike and Magdalena. When I was a teenager, my father gave his life for our great country. It was my dad's idealism and commitment to advancing America's interests abroad and making the world a better place that motivated me to join the Foreign Service. My mother supported my quest every step of the way. Unfortunately, she could not make it from Spain to be here today but to her I say: gracias, Mami.

Having just served as Assistant Secretary for Public Affairs at the State Department, I know the importance of American leadership in the world and recognize the need to partner with others, including countries like Chile, to address the global challenges we face. As Ambassador, I will work relentlessly to gain support for our policies, foster relationships that advance our interests, promote business opportunities that create jobs for Americans, and tell America's story.

I have been fortunate to serve at the White House under our three previous Presidents. And, when I served at the White House at the beginning of this administration, I traveled with President Obama to the Summit of the Americas in April 2009, where he launched a new era of partnership with the hemisphere based on mutual respect, common interests, and shared values; a partnership aimed at improving the lives of the citizens of the Americas by promoting economic opportunity, energy co-operation, citizen security, and human rights.

These goals provide the basis for our excellent relationship with Chile today. If confirmed, I intend to build upon those close ties and work further with Chile as a global partner for the United States. Chile has been and will be an increasingly valuable partner in our hemisphere and around the world in three key areas:

- (1) Advancing democratic principles and human rights;
- (2) Promoting prosperity and economic opportunity; and
- (3) Enhancing security and advancing peace.

On democracy, Chile is a shining example of a peaceful transition from the Pinochet regime to open and transparent governance. In fact, this Sunday the Chilean people will elect their sixth President since the country's return to democracy. Given Chile's historical experience and solid institutions, it is well positioned to be a leader in democracy, both in the region and the world.

On economics, Chile is a reliable trading partner, is firmly committed to free trade, and acts as a key member of the OECD. Since the U.S.-Chile Free Trade Agreement entered into force in 2004, bilateral merchandise trade has grown by 340 percent. While U.S. goods exports to the world increased 113 percent between 2003 and 2012, U.S. goods exports to Chile increased by nearly 600 percent, growing from \$2.7 billion in 2003 to \$18.9 billion in 2012. Together with Chile, the United States is now working to conclude the historic Trans-Pacific Partnership—a high-standard 21st century trade agreement that will promote regional economic integration, prosperity, and opportunity for the people of all of the member countries. Furthermore, the United States recently obtained observer status in the Pacific Alliance, where we share with Chile, Colombia, Mexico, and Peru an interest in expanding free markets, reducing inequality, opening trade, and welcoming foreign investment.

On security, our countries enjoy a strong defense relationship. Chile is a key contributor to the U.N. mission in Haiti. Chile also trains dozens of police officials from Central American and Caribbean countries. Chile's Armed Forces participate in numerous bilateral and multilateral exercises annually, and Chile serves as a model in the region for increasing accountability and transparency in its Ministry of National Defense through ongoing defense reforms. Defense trade with Chile is at an all-time high with current projects totaling above \$1 billion and serves as an important component of our economic partnership and basis for interoperability between our militaries. I hope to enable us to do more together to advance peace and stability in the region and around the world, particularly as Chile assumes its nonpermanent seat in the United Nations Security Council in January.

Rest assured that if I am confirmed as Ambassador, I will be focused on ensuring the security and safety of Americans living and traveling in Chile. I would be extremely proud to lead our Embassy Santiago team, which includes representatives from a wide range of agencies. In fact, in preparing for this assignment, I have been thoroughly impressed by the range and scope of our programs in Chile as well as with the Embassy's high-caliber American and locally engaged staff that make invaluable contributions every day.

Mr. Chairman, let me close by saying how deeply grateful and humbled I am by the confidence President Obama and Secretary Kerry have shown in me with this

nomination. If confirmed, I pledge to work closely with you, your colleagues, and the administration, to further deepen the partnership between the United States and Chile.

The CHAIRMAN. Thank you.
Mr. Whitaker.

**STATEMENT OF KEVIN WHITAKER, OF VIRGINIA, TO BE
AMBASSADOR TO THE REPUBLIC OF COLOMBIA**

Mr. WHITAKER. Good morning. Mr. Chairman, Senator Rubio, Senator McCain, it is a great honor to appear before you today as the President's nominee to be the next United States Ambassador to the Republic of Colombia. It is a profound privilege and deep responsibility to be considered for confirmation.

Let me recognize my wife, Betsy, who had a distinguished Foreign Service career herself. My son, Stuart, could not make it today. My son, Thomas, is here, and my son, Daniel, who is a third-class cadet at the Virginia Military Institute, is with us as well. I am grateful for their support throughout my career.

I also have to thank President Obama and Secretary Kerry for this opportunity and for their confidence in me.

My mother, Evelyn, and father, Malvern, have passed on, but their love and guidance made me who I am. My father was a World War II veteran in the Navy. He was a career Army officer later, and my mother was the daughter of immigrants.

They taught me there is no higher calling than service to Nation.

Colombia has come far since the late 1990s when insurgency and narcotics trafficking tore the fabric of the nation. We have helped, including with more than \$8.8 billion in assistance thanks to the generosity of Congress and the American people. Our support has been significant, and Colombia has provided the vast majority of the financial and human resources in the overall effort.

Colombia is now engaged in a historic peace process intended to give the Colombian people the peace, security, and justice they have sacrificed so much to achieve. The administration strongly supports the Colombian Government in this process as a means of getting the FARC, a foreign terrorist organization, to lay down its arms and achieve a real peace.

Agreements on critical issues have been achieved, but central questions remain. With so much invested in Colombia's success, the United States supports President Santos' goal of peace for all Colombians. If confirmed, in manifesting our support for the Colombian Government, I will underline that only by ensuring that human rights are respected can an enduring peace be achieved.

Colombia is a growing market for American products. Overall two-way trade in 2012 was over \$40 billion, four times what it was a decade ago. Our Free Trade Agreement—in force for a year—has increased U.S. exports by 19 percent in that time. As part of the agreement, we agreed to work together to boost labor and environmental protections in Colombia. We continue to work collaboratively on Colombia's Labor Action Plan, recognizing the advances as well as areas where challenges remain. If confirmed, I will engage personally on this important effort.

Colombia has a broad free trade agenda and is a constructive partner on environmental issues. If confirmed, I will be eager to help American firms do business in Colombia.

Colombia benefits from its racially diverse society. Unfortunately, the ongoing conflict has disproportionately affected indigenous people, and Colombia's black, Afro-Colombian, Raizal, and Palenquero people, who represent many of Colombia's internally displaced people. If confirmed, I will seek to identify additional ways we can help address their needs in cooperation with Colombian counterparts.

Colombia is arguably one of our most willing and capable partners in the hemisphere and indeed in the world, and if confirmed, I will seek to deepen this collaboration.

Colombia is sharing its hard-won security expertise broadly, including through a bilateral action plan with us, undertaking dozens of capacity-building activities with Central American and Caribbean forces. Colombia has consistently supported the Inter-American Human Rights System and the OAS as a whole.

My career and experiences have prepared me for this high position. I have served in leadership positions of growing responsibility, including as DCM in Caracas and Deputy Executive Secretary of the Department. I have held senior policy positions with responsibility for Colombia since 2008, including now as Deputy Assistant Secretary for South America. I believe in the power of diplomacy, of using our influence and engagement to achieve national security goals.

Again, I am grateful for this opportunity and for your consideration. I stand ready to answer any questions you may have.

[The prepared statement of Mr. Whitaker follows:

PREPARED STATEMENT OF KEVIN WHITAKER

Mr. Chairman and distinguished members of the committee, it is an honor to appear before you today as the President's nominee to be the next United States Ambassador to the Republic of Colombia.

After more than 30 years in the Foreign Service, I appreciate the privilege and responsibility it is to be considered for confirmation as Ambassador. I deeply respect the role of the Senate in the work of ensuring that our Nation has a foreign policy that reflects our values.

Let me recognize my wife, Betsy, who had a distinguished Foreign Service career, and without whom I would not be here. My sons, Stuart, Thomas, and Daniel, are here as well; Stuart and Thomas are embarked on their careers, and Daniel is a third-class cadet at the Virginia Military Institute. Let me also thank President Obama and Secretary Kerry for this opportunity and their confidence in me.

My mother, Evelyn, and father, Malvern, have passed on, but their love and guidance made me who I am. My father was a career Army officer, and my mother was the daughter of immigrants; they instilled in me the notion that there is no higher calling than service to Nation. In my Foreign Service career, support for democracy and for fundamental freedoms have been my guiding principles.

Colombia has come far since the late 1990s, when insurgency and narcotics trafficking tore the fabric of the nation. We have helped, including through the commitment of more than \$8.8 billion in assistance over that time—thanks to the generosity of Congress and the American people. Our support has been significant, but it is important to realize that the vast majority of the financial and human resources in this effort have come from Colombia.

Colombia is now engaged in a historic peace process intended to give the Colombian people the peace, security, and justice they have sacrificed so much to achieve. The administration strongly supports this process. Although subagreements have been reached, central questions remain, including about justice and victims' rights. With so much invested in Colombia's success, the United States supports this process to achieve the goals that President Santos has outlined. If confirmed, I will

underline our robust support for the peace process and the need, during in that process, to ensure that human rights are respected and rule of law is strengthened.

Colombia's progress has made it a growing market for American products. Overall two-way trade in 2012 was over \$40 billion—four times what it was a decade ago. Our FTA has opened markets and increased U.S. exports by 19 percent in just 1 year. As part of the agreement, we have agreed to work together to boost labor and environment protections in Colombia, and we continue robust engagement in areas of mutual concern, including providing for strong intellectual property protection and promoting labor rights through the Labor Action Plan. Our governments will continue to hold formal meetings through at least 2014 on Colombia's Labor Action Plan commitments, recognizing both advances and areas where challenges remain. Colombia has a broad free-trade agenda, and is a founding member of the Pacific Alliance, an innovative, high-standards trade pact where we are now official observers. Colombia is also striving for membership in the OECD, an ambition we support. Colombia is a constructive partner on climate change and environmental issues.

Colombia benefits from its racially diverse society. Unfortunately, the ongoing conflict and other factors have disproportionately affected members of the groups known in Colombia as black, Afro-Colombian, Raizal, and Palenquero, who represent a large portion of Colombia's nearly 5 million of internally displaced people. If confirmed, I will seek to identify additional ways that the United States can help address their needs, including through our bilateral action plan.

Colombia is one of our strongest partners in the hemisphere, and indeed, in the world. Building on our outstanding cooperation in combating transnational crime and narcotics trafficking, Colombia is sharing its hard-won security expertise broadly, notably in Central America. Through a bilateral action plan on regional security cooperation, we are combining our efforts in dozens of capacity-building activities with Central American and Caribbean forces over the next 2 years. Colombia has consistently supported the Inter-American Human Rights System, and has worked to ensure that the OAS improves its processes and achieves its goals. And Colombia has been a voice of reason in regional political groupings.

My career and experience have prepared me for this service. I have served in leadership positions of growing responsibility over the last two decades, including as Deputy Chief of Mission in Caracas and as Deputy Executive Secretary of the Department. I have served in senior policy positions with responsibility for Colombia since 2008, and have a firm grasp on the issues there. As a leader, I seek to empower and insist on accountability; I delegate authority, but never responsibility. I believe in the power of diplomacy, of using our influence and engagement to achieve our national security goals.

I am grateful for this opportunity, and for your time. Should the Senate confirm me, I pledge to maintain close contact with you and your staff. If confirmed, I will continue my commitment to democracy and fundamental freedoms, and I will work hard to ensure that U.S. companies in Colombia continue to have the opportunity to take advantage of all the business opportunities Colombia has to offer.

I look forward to this opportunity to advance America's interests in Colombia, and stand ready to answer any questions you might have now and in the future.

The CHAIRMAN. Thank you.
Mr. Heyman.

**STATEMENT OF BRUCE HEYMAN, OF ILLINOIS,
TO BE AMBASSADOR TO CANADA**

Mr. HEYMAN. Thank you, Mr. Chairman. Thank you, Senator Rubio and Senator McCain, for the opportunity to appear before you today. I would particularly like to thank Senator Durbin for his earlier generous introductory remarks, and I hope I can live up to his standard that he has set as an exemplary public servant.

I would also like to thank both President Obama and Secretary Kerry for their trust and confidence in my abilities. I am extraordinarily grateful to the President for nominating me to be the next United States Ambassador to Canada, and I am humbled and honored to appear before the Senate today.

If I may, I would like to introduce my wife, Vicki, to the committee. I would not be here without her love and support. I am also delighted to be joined by my phenomenal children—David, Liza,

and Caroline—and my brother, Richard Heyman, and my sister-and brother-in-law, Gwen and Brian McCallion, and their beautiful daughters, Shelley and Katie McCallion.

Mr. Chairman, the relationship the United States shares with Canada is indeed a special one. President Kennedy told the Canadian Parliament, “Geography has made us neighbors. History has made us friends. Economics has made us partners. And necessity has made us allies. Those whom nature hath so joined together, let no man put asunder.” This statement rings ever true today. The United States and Canada continue to share a strong economic relationship, a global partnership, a border that makes us neighbors, and interests and values that make us friends.

For many Americans and Canadians, there are deeper personal ties, and I can look to our own family as an example. Vicki’s great grandparents, with her grandfather and his siblings, immigrated to Canada through Quebec. The family made Toronto their home, while Vicki’s grandfather continued on to the United States. But our relationship is hardly unique to Canada. It represents just a single example among the countless links that bind the people of our two countries together. And if confirmed, I plan to embrace the unique mosaic of Canadian history, culture, and people by visiting the diverse communities across the beautiful and expansive country of Canada and all of its provinces and territories.

At the SelectUSA Summit in October, Secretary Kerry said, “Foreign policy today is economic policy,” and I could not agree more. If confirmed, my top priority will be enhancing our economic partnership. The United States and Canada already enjoy the world’s largest and most comprehensive trade relationship with nearly \$2 billion in goods and services flowing across our border each day. It is obviously a tremendous trade relationship, the greatest in the world, and I would like to see it expand further.

If confirmed, I believe my background and experience would prove useful in this effort. As a Goldman Sachs managing director, I have spent my entire career constructing business partnerships and helping investors see possibilities. If confirmed, I will work to foster trade and investment that creates jobs on both sides of our common border, and I will also work to expand our environmental partnerships and cooperation to protect and preserve the natural resources our nations are blessed to enjoy and share.

Our border with Canada stretches 5,500 miles, and there are more than 100 border crossings. By working together, the United States and Canada can keep those crossings open to legitimate trade and travel while protecting our citizens. If confirmed, I will continue to build on the success of the B2B and RCC initiatives announced by the President and the Prime Minister in 2011. A secure and efficient border is in the interest of both our countries, and I will focus on a security strategy that promotes the legitimate flow of people, goods and services between our two countries and fosters efficiency and North American competitiveness and jobs.

And finally, I would like to emphasize how greatly I value our global partnership. The United States is fortunate to have a neighbor that shares our strong commitment to democratic values and works tirelessly to promote peace, prosperity, and human rights around the world. Canada is our partner in NORAD and in NATO,

and it is with great appreciation I acknowledge and respect the Canadian troops who have served bravely alongside Americans, especially in Afghanistan. And if confirmed, I will be a respectful steward of this partnership with Canada.

More than any other country in the world, our relationship with Canada has the most direct and immediate impact on America's security and prosperity. I feel honored to be nominated, and, if confirmed, I pledge to serve responsibly and with integrity.

Thank you for your consideration, and I look forward to answering any your questions.

[The prepared statement of Mr. Heyman follows:]

PREPARED STATEMENT OF BRUCE HEYMAN

Thank you Chairman Menendez, Ranking Member Corker, and distinguished members of the committee, for the opportunity to appear before you today. I would particularly like to thank Senator Durbin for his generous introductory remarks. I am honored to have known Senator Durbin for many years, and I hope that I can live up to the standard that he has set as an exemplary public servant.

I would also like to thank both President Obama and Secretary Kerry for their trust and confidence in my abilities. I am extraordinarily grateful to the President for nominating me to be the next United States Ambassador to Canada, and I am humbled and honored to appear before the Senate today.

If I may, I would like to introduce my wife, Vicki, to the committee. We first met at Vanderbilt University, and I would not be here today without her love and support. I am also delighted to be joined by my phenomenal children—David, Liza, and Caroline.

Mr. Chairman, the relationship that the United States shares with Canada is a special one. President Kennedy summed it up perfectly in 1961 when he told the Canadian Parliament, "Geography has made us neighbors. History has made us friends. Economics has made us partners. And necessity has made us allies. Those whom nature hath so joined together, let no man put asunder."

This statement rings true today. The United States and Canada continue to share a strong economic relationship, a global partnership, and a border that makes us neighbors and interests and values that make us friends. For many Americans and Canadians, there are deeper and more personal ties . . . and I can look to our own family as an example. Vicki's great grandparents, with her grandfather and his five siblings, immigrated to Canada through Quebec in 1910 and 1911, settling in Toronto. Four siblings made Toronto their home, while Vicki's grandfather and his brother continued on to the United States. My family's relationship to Canada, however, is hardly unique. It represents a single example among the countless links that bind the people of our two countries together. Today, one out of five Canadians was not born in Canada. If confirmed, I plan to embrace this unique mosaic of Canadian history, culture, and people by visiting the diverse communities across the beautiful and expansive country of Canada in each of its 10 provinces and 3 territories.

At the Select USA Investment Summit in October, Secretary Kerry said, "foreign policy today is economic policy." I agree and, if confirmed, my top priority will be enhancing our economic partnership. The United States and Canada already enjoy the world's largest and most comprehensive trade relationship, with nearly \$2 billion in goods and services flowing across the border each day. To put this into perspective, U.S. exports to Canada in 2012 exceeded our combined exports to China, Japan, South Korea, and Singapore.

It is obviously a tremendous trade relationship, the greatest in the world, and I would like to see it expand further. If confirmed, I believe my background and experience would prove useful in this effort. I have been fortunate to study commerce and to work in the banking sector for the past 33 years. As a Goldman Sachs Managing Director, I have spent my entire career constructing business partnerships and helping investors see possibilities. If confirmed, I will work to foster trade and investment that creates jobs on both sides of our common border. I will also work to expand our environmental partnerships and cooperation to protect and preserve the natural resources our nations are blessed to enjoy and share.

Our bilateral economic partnership with Canada will continue to expand and flourish as long as both countries have trust in how people, goods, and services flow legitimately, safely, securely, and reliably between our two countries. Our border

with Canada stretches 5,525 miles and there are more than 100 border crossings. By working together, the United States and Canada can keep those crossings open to legitimate trade and travel while protecting our citizens from terrorism, crime, and illicit goods. If confirmed, I will continue to build on the success of the Beyond the Border and the Regulatory Cooperation Council initiatives announced by President Obama and Prime Minister Harper in 2011. A secure and efficient border is in the interest of both our countries, and I will focus on a security strategy that promotes the legitimate flow of people, goods, and services between our two countries and fosters efficiency and North American competitiveness and jobs.

Finally, I would like to emphasize how greatly I value our global partnership with Canada. The United States is fortunate to have a neighbor that shares our strong commitment to democratic values and works tirelessly to promote peace, prosperity, and human rights around the world. Canada is our partner in NORAD and in NATO, and it is with great appreciation that I acknowledge and respect the Canadian troops who have served bravely alongside Americans, especially in Afghanistan. If confirmed, I will be a respectful steward of this partnership with Canada.

More than any other country in the world, our relationship with Canada has the most direct and immediate impact on America's security and prosperity. I feel honored to be nominated, and, if confirmed, I pledge to serve responsibly and with integrity. I look forward to working with this esteemed committee, your colleagues in Congress, and the executive branch to foster an even stronger relationship between the United States and Canada.

Thank you for your consideration, and I look forward to answering your questions.

The CHAIRMAN. Thank you very much to all of you. Let me start off, Mr. Hammer. You know, the Chileans and us have a great relationship. We share many, many values. But they seem reluctant to take on the role of a regional player. And considering the wide range of values that we share on democracy, human rights, on labor, environment, and trade, what would you do if confirmed to encourage the Chilean Government to take advantage of its potential to help serve as an example for the region and emerging economies?

Mr. HAMMER. Mr. Chairman, thank you for your question. I agree with you that because of our shared values, because of their responsible management of their economy and the practices that they are engaged in going forward, that Chile could step up and do more partnering with the United States in the hemisphere and, in fact, as a global partner. They are helping us through some joint programs, training police in Central America, in countries like Honduras, El Salvador, and Guatemala. As I mentioned, they are participating in some counter narcotics operations in the Caribbean.

But I would hope that if confirmed that I will have an opportunity to, from the very start, begin a conversation, first with the Pinera government, and then with his successor, and her government, because it will be a her, that we will try to then find avenues where we can partner together and, in fact, bring to bear the tremendous expertise that Chileans have developed in the institutions that they have fostered so that others, particularly in our hemisphere, can benefit from what their experience has been so far, and to make the lives of their citizens and the citizens of the Americas better.

The CHAIRMAN. Well, I am bullish on our relationship on Chile and on Chile itself. But there is one area we always have bilateral issues that may concern us. And I am concerned in the pursuit of American ingenuity and to protect its innovation globally, when a country does not live up to the higher standards—the high standards that we have set for ourselves in protecting others in the

world in terms of intellectual property rights, as well as our own country's.

Chile remains on the short list of 10 countries on the priority watch list in the USTR Special Report, and we have continuing concerns about IPR issues under the bilateral FTA. And from my understanding, Chile is one of the countries supposedly pushing back against USIPR proposals in the TPP negotiations.

If confirmed, what steps would you take to encourage Chile to be more forward-leaning in supporting a high standard intellectual property agreement in the TPP and fulfilling its requirements under existing agreements?

Mr. HAMMER. Thank you, Mr. Chairman. I have been briefed by our colleagues in USTR about some of these important issues. Certainly Chile has fallen short so far on international—I am sorry—intellectual property rights. And I would be looking forward, if confirmed, to from day one begin working to try to ensure that, one, they live up to their commitments under the 2004 FTA, and secondly, to—if we are able to move forward with the Trans-Pacific Partnership, obviously to make sure the proper protections and enforcement are in place and that Chileans live up to their responsibilities.

I have every belief and confidence that the Chileans can, but certainly they have not done enough, and it is an issue that we will prioritize and be certain to follow because it is critically important, as you said, to the American economy and, of course, internationally intellectual property rights must be an issue that is paid attention to.

The CHAIRMAN. Let me ask you and Mr. Whitaker since you are going to be, if confirmed, sharing countries that are a part of the Pacific Alliance, which, as a trade block, comprises about 210 million people, accounting for 35 percent of Latin America GDP, and with massive potential for increases in trade, foreign direct investment, and infrastructure projects. And they are focused on sound economic policy, reliance on strong standards of democratic governance. I think that is a great model for the entire hemisphere.

I am wondering what both of your perspectives are. Are we engaging enough? Are there ways that we can enhance our engagement with the Pacific Alliance to be poised to take advantage or to more fully participate and have a mutually beneficial effort that can both help to strengthen what they are doing and enjoy the possibilities in cooperation with these respective countries that can create opportunities here at home?

Mr. HAMMER. Well, Mr. Chairman, if I may, and then I will defer to my colleague, Kevin. Certainly we see it as a very positive development that Chile, Peru, Mexico, and Colombia would come together and form this Pacific Alliance, a commitment to improving the lives of their people by promoting free trade and trying to attract investment. By becoming an observer, which we recently did, I think we have an opportunity to engage very directly and closely with these countries in that forum and obviously to encourage positive developments.

But I think we are on the right track. We like what they are doing. It is a trend that I think from my perspective would be something that the rest of the hemisphere should be looking at.

The Trans-Pacific Partnership embodies an even larger group of countries that are looking to advance economic prosperity. But these are the kinds of developments, I think, that we as the U.S. Government want to be certainly supportive of, and where we can encourage.

Mr. WHITAKER. Mr. Chairman, thank you for the question. I agree with everything that Mike just said. The only thing that I would add to that is in the initial days of the Pacific Alliance, there was sort of a scrupulous focus on the economic aspects of the alliance. All of the countries needed to have free trade agreements with each other and collectively. They talked about trade matters predominantly, and so there was a real focus on the economic side, on ensuring that it was a high standards trade pact.

The organization seems to be evolving in terms of what its focus is. The four countries are doing things diplomatically together. They are clearly very open to countries joining, becoming observers, and there is a path for observers to become members. But actually they reached out to us and requested that we apply for observer status, which I thought was very positive indeed.

The model of economic growth that they promote is one that is, importantly, socially inclusive. And all of these countries are endeavoring to create the kind of economic growth which brings the great majority of their citizens along, which, of course, is something that can and should be emulated more broadly.

The CHAIRMAN. One more question for you, and then I will have a question for Mr. Heyman, and then I will turn to Senator Rubio. From what you can see in your assessment of your peace talks in Colombia on the FARC, do you anticipate any changes in Colombia's counternarcotics policy, on its extradition policy, on Colombia's training of third country security forces that have been, I think, central elements of the U.S.-Colombia partnership?

Mr. WHITAKER. Thank you, Mr. Chairman. Obviously we follow the peace discussions very closely. This is clearly a difficult lift for all Colombians. They have achieved agreement on two of the five issues on the tables, five issues that need to be closed out. Very difficult issues remain, and one of the difficult issues that remains is the question of justice. On one hand, there needs to be justice and accountability. On the other, there needs to be a way forward to permit some sort of political participation. The way President Santos put it was that it is not about sacrificing justice for peace; it is about achieving peace with the maximum amount of justice, and that seems to make pretty good sense to me.

The question of extradition has come up indeed because the FARC has raised it publicly, that is to say, extradition to the United States. What we have said is that our judicial processes will continue, and if individuals are accused of very serious crimes in the United States and are wanted by the U.S. Justice Department, then it is reasonable to assume that, regardless of any other circumstances, we will continue to seek access to those people so that they can be tried for the crimes that they are accused of in the United States. But I do anticipate that that will be a continuing matter that the FARC would raise.

I see no reason to believe that the security cooperation element would change at all. That has not come up, and it seems that there

is such a solid foundation there and such a strong issue on the part of the Colombian security forces and the partners in Central America and the Caribbean, I see no reason to believe that that would change.

On counternarcotics, we have a couple of issues here. You are aware, Mr. Chairman, that President Santos is interested in a debate on counter narcotics policy generally in the hemisphere. That is a debate that we welcome as we understand that we have public health concerns, we have national law, and we have international obligations which we must meet. A matter which has come up with respect to counternarcotics is the FARC's insistence—this is a public insistence—we do not know what they are saying at the table, but publicly they are insisting on the elimination of the aerial eradication program, which, in our view, would be a great mistake. The aerial eradication program has delivered terrific results over time. Net cocaine production—cocaine potential production has been reduced by nearly 70 percent over the last 5 years. The amount of cocaine under production now in Colombia is at a 20-year low, and that is in large part thanks to the effectiveness of the aerial eradication effort.

The CHAIRMAN. Thank you very much.

Senator RUBIO. Mr. Whitaker.

Senator MCCAIN. Could I just ask a quick question? Mr. Heyman, you are familiar with the XL Pipeline issue.

Mr. HEYMAN. I am familiar with it; yes, sir.

Senator MCCAIN. And your position is?

Mr. HEYMAN. There is a process under way at the State Department, and when that process is concluded, I think that I will be the person on the ground that will be communicating with the Canadians.

Senator MCCAIN. So you have no decision because there is a process that has been going on for several years.

Mr. HEYMAN. That is correct.

The CHAIRMAN. Senator Rubio.

Senator RUBIO. Thank you. Mr. Whitaker, I wanted to ask you before you go to Colombia, in your current role are you aware of any sort of effort on behalf of the Castro government to begin back channel conversations with the United States about the nature of our relationship that extend beyond just the normal conversations regarding migration, postal service, et cetera?

Mr. WHITAKER. I am not aware of any such effort; no, sir.

Senator RUBIO. OK. The second question is with regards to Colombia. Specifically, President Santos recently arrived in the United States and suggested that the United States needed to be more understanding and make some sort of concessions to the Castro regime. I was curious about that statement because obviously the people of Cuba live under conditions that neither President Santos nor anybody in Colombia would accept for their own people.

But I guess my fundamental question is, How related to these talks with the FARC is a statement like that, or is it not just an effort by President Santos to say things that the Cubans would look favorably upon in an effort to get more cooperation from them on this agreement with the FARC?

Mr. WHITAKER. Senator, I actually do not know what President Santos' motivation was in making such remarks. But you are absolutely correct, that is the kind of thing that he has said, and he has actually said it for some time. I could speculate on it, but he is probably a better person to query on it.

What I can tell you, Senator, is that I actually worked on Cuba for 5 years from 2000 to 2005. I was the deputy director of Cuban Affairs and then the director of Cuban Affairs. I have, I think, a fairly unique and detailed understanding of Cuba and the nature of this government and the abuses that have been committed by it. If confirmed, you can count on me to be a direct—very direct—discussant with the Colombian Government about Cuba and about policies, which can be more effective with respect to Cuba and its role in the hemisphere.

Senator RUBIO. My last question is about the negotiations with the FARC. We would love to see the FARC lay down their arms and walk away. But let us just remind each other of who the FARC is. There were reports in November of an apparent FARC plot to murder several leading Colombian politicians, including former President Uribe, and the attorney general.

And this is still a criminal syndicate. This is still a criminal organization. This is still a terrorist guerilla organization. And that is why you are seeing an uptick among the Colombian population looking at these negotiations less favorably than before. And so, since President Santos has felt it appropriate to travel to the United States and ask us to make concessions with regard to Cuba without asking Cuba to actually make changes, I felt it perhaps was appropriate to comment on the nature of those negotiations they are having with the FARC in particular because that is an organization that has criminals who have committed crimes against and in the United States. And we will have a continuing and ongoing interest in that matter.

Thank you. Thank you all for your service.

The CHAIRMAN. Thank you. I do have one or two other questions, and I would like to—I believe he is still here—I would like to recognize the Colombian Ambassador to the United States, the Honorable Luis Villegas, who is here. Ambassador, thank you for joining us. We appreciate it.

Mr. Whitaker, you and I talked a little bit about the question of the Labor Action Plan, and I have been a big supporter of Colombia from my days in the House, and in the Senate, and as the chairman of the Western Hemisphere Subcommittee before I ascended to the chairmanship of the full committee. I think it is an incredibly important country with us. I was one of the leading promoters and supporters including in challenging times of Plan Colombia, which I think helped the Colombian Government regain its sovereignty from its internal challenges.

But I am seriously disappointed in the enforcement of the Labor Plan of Action. This was intended to reduce violence against labor leaders in Colombia and to better protect labor rights. And while some progress has been made, there is still, from my perspective, a very significant degree of impunity. What will you do as the Ambassador if ultimately confirmed to continue to pursue a more robust engagement of the enforcement of the laws and the prosecu-

tion of them in order to ensure the rights of labor leaders in Colombia?

Mr. WHITAKER. Thank you, Mr. Chairman. I think you have identified some very significant challenges that remain with respect to the Labor Action Plan. I have stayed, in my current role, in close contact with the two agencies of our government which have direct responsibility day to day on these matters, the Department of Labor and USTR. And I think there are four areas where there are significant continuing problems. One is that fines are being levied but not being collected. Two, inspections and inspections about core issues in terms of labor practices are not being conducted in a way which had been indicated by the plan. Indirect employment contracting continues in a way which is not consistent with the vision that we had. And as you say, threats and violence continue to occur, albeit at a lower level.

What I would propose to do if confirmed is to maintain very close contacts with the Ministry of Labor—with our government, of course, and with the Ministry of Labor, which has direct responsibility for these activities, with the fiscalia, with the prosecutor's office, which, of course, has the responsibility for conducting the judicial followup, which is essential to ensuring that impunity does not exist. And then finally, I would commit, if confirmed as Ambassador, to make this a matter of regular and routine discourse with the highest levels of the Colombian Government so that they understand what our position is on it.

The CHAIRMAN. And one other question on Colombia. On Monday, Colombia's Office of the Inspector General issued a decision that removed Bogota Mayor Gustavo Petro from office and banned him from holding elective office for 15 years. Now, international human rights organizations have raised the questions of whether the tenets of due process were respected as the process did not offer Mr. Petro the opportunity to defend himself or present his version of the facts. Critics of the decision have wondered whether it might be politically motivated. And Colombia's Minister of Justice, Mr. Mendez, said, "We have to revise the constitutional norm that allows for the removal of an official chosen by popular vote."

What is your understanding of this situation in your present role, and do you believe that the basic rights of due process were respected here?

Mr. WHITAKER. Thank you, Mr. Chairman. I am aware of the case. Alejandro Ordonez relieved or removed Mayor Petro and banned him from office for, I think, 15 years. There is a fundamental question that is raised by this, it seems to me, and that is one of political pluralism. Colombia is now embarked on this very important effort to figure out how to end the internal conflict. And it is not by accident that the second issue that they discussed was political pluralism, how to integrate into the legal, unarmed, democratic process individuals on the left.

If individuals in Colombia were to conclude, based on this action or any other action, that that space does not exist, then the basic conditions for peace are going to be in some ways eroded. And I think the fact that that quote that you had from the other official, the fiscalia, that there needs to be a review of the responsibilities of Mr. Ordonez suggest the vitality of the Colombian democratic

system, where the democratic institutions are constantly struggling with each other in ways which are not necessarily always pretty.

Now, there is a process for appeal, and Mayor Petro has indicated his intention to engage in that process.

The CHAIRMAN. Processes of appeal exist here in the United States, but normally you get due process before you have to find yourself in an appeal situation. And so, you know, as someone who is an admirer of Colombia, I am concerned that actions like this move us in directions that are counter to the progress that we would like to see.

Mr. Heyman, let me ask you two important questions. There are many in our relationship with Canada, which as you described is extraordinary. One is an item that I have voiced as it relates to other countries, again intellectual property rights. We have pushed for strong IP protections in the TPP agreement. Canada has not, and to date has not, been supportive of pro-innovation efforts in those negotiations in its own domestic practices. An example can be found in the heightened standard for patentable utility Canada now uses which is contrary to the global best practices and its international commitments.

That innovators should face significant intellectual property challenges with one of the largest trading partners with the United States is a serious concern. So if you are confirmed, what steps would you take to address Canada's access barriers? I understand that our trade representative will be a big part of this, but you are obviously going to be engaged on a bilateral basis, on a daily basis, with respect to IP protections through the TPP and otherwise.

Mr. HEYMAN. Mr. Chairman, thank you very much for that question. Intellectual property rights are the core of what American institutions depend on to compete globally. American ingenuity is our special sauce, and we work so hard doing research and development at the corporate level, and depend upon patent rights and protections when we sell products overseas.

I am aware of the issues that have been brought up with regard to intellectual property rights. That being said, I know the Canadians are working harder to try to do better in this way. They have worked on passing legislation on internet piracy issues last year, and there is legislation before the Parliament right now on counterfeiting and some border rules that would go into effect.

That being said, if considered to be Ambassador by this esteemed committee, I will take this issue to the Canadian Government, and I will make this issue an important issue. As I said, doing business with Canada is an important part of the role that I plan to take as Ambassador to Canada, and that will be my No. 1 mission is expanding our economic footprint. But unless we have the intellectual property protections for our companies, it will make it incredibly difficult to expand those relationships. So I will make that a priority, sir.

The CHAIRMAN. Right, very good. Canada recently claimed that much of the Arctic sea floor, including the North Pole, is Canadian territory. Russia has made a similar claim in the past. Do you think—and the United States is undertaking studies necessary to determine whether any of the Arctic beyond our 200-mile Exclusive

Economic Zone is our—is on our contiguous Continental Shelf, and, therefore, American territory.

Do you think—my question actually is, to your knowledge from your briefings, the United States undertaking such a study?

Mr. HEYMAN. Yes. We are mapping as well the seabed floor.

The CHAIRMAN. And is our ability—should that mapping ultimately define that we actually have an interest and a claim beyond the 200 miles, is that ability to make that claim important—an important reason to ratify the Law of the Sea Treaty?

Mr. HEYMAN. It is my understanding that those participants in the Arctic Council and those that have an interest in the region have agreed to adjudication. So as this mapping is taking place, it is natural to assume that there may be overlap and maybe even multiple countries thinking that the same territory is actually theirs, and we will have to go through an adjudication process. And it is my understanding that that part is not necessarily a requirement, this ratification of the treaty, to make that happen.

The CHAIRMAN. So we could pursue our interests here, notwithstanding ratification of the treaty?

Mr. HEYMAN. That is my understanding at this point.

The CHAIRMAN. OK. And if we were to succeed in this process in terms of our claim, would that mean that Santa Claus is an American citizen? [Laughter.]

You do not have to answer that question. [Laughter.]

Mr. HEYMAN. I would like to answer that question.

The CHAIRMAN. That might put you in a lot of hot water.

Mr. HEYMAN. I understand that. But as I think you are aware, NORAD tracks Santa Claus when he takes off, and it is with joint Canadian and U.S. participation that we will secure Santa Claus' protection. And it is from my understanding, Santa Claus has a special right of being a citizen of the world, and he can enter U.S. space without—[Laughter.]

The CHAIRMAN. You have displayed your diplomatic abilities in an extraordinary fashion.

Mr. HEYMAN. Thank you.

The CHAIRMAN. All right. With that insight, our thanks to all of you for both your willingness to serve and your engagement here before the committee.

The record will remain open until noon tomorrow. I would urge you if there are questions submitted for the record, for you to answer them expeditiously so that the committee can consider your nominations before our business meeting.

The CHAIRMAN. And with that, this hearing is now adjourned.

[Whereupon, at 12:27 p.m., the hearing was adjourned.]

ADDITIONAL QUESTIONS AND ANSWERS SUBMITTED FOR THE RECORD

RESPONSES OF CATHERINE ANN NOVELLI TO QUESTIONS SUBMITTED BY SENATOR ROBERT MENENDEZ

Question. If confirmed you will take on your new position at a time when the United States is faced with major economic, environmental, and energy-related challenges and opportunities. Many U.S. officials, including current Secretary of State John Kerry and former Secretary Hillary Clinton, have advocated greater inclusion of these types of issues into broader decisions on U.S. foreign policy.

◆ Do you agree with this sentiment? How might a more integrated approach to economic diplomacy guide the U.S. strategic outlook?

Answer. I agree fully that U.S. foreign and domestic objectives are best served by integrating fully economic issues into broader U.S. foreign policy. Such integration supports U.S. diplomacy by fostering growth, encouraging connections between markets, and increasing participation in formal economies, all of which directly buttress U.S. security and democracy policy goals. This approach also directly supports prosperity in the United States by opening and expanding markets for American companies.

There are a number of examples that illustrate clearly the link between our foreign policy, economic, environmental, and energy-related goals. In the Asia-Pacific region, completing the Trans-Pacific Partnership (TPP) negotiations would open new markets for U.S. companies and support U.S. job growth while underpinning directly our rebalancing toward that region. We are also implementing the U.S.-Asia Pacific Comprehensive Energy Partnership (USACEP), aimed at strengthening and expanding energy and environmental cooperation in the region by focusing on renewable and cleaner energy, markets and interconnectivity, the emerging role of natural gas and sustainable development. In Europe, increasing trade and investment through an ambitious partnership like the Transatlantic Trade and Investment Partnership (T-TIP) would increase job growth and competitiveness in both the United States and the European Union while strengthening our strategic partnership with our European allies. In Africa, U.S. efforts to accelerate growth, increase trade, promote investment in the energy sector, and speed development lift Africans from poverty, support our foreign policy goals related to security and democracy, and provide commercial opportunities that support U.S. prosperity at home.

If confirmed, I will make it a priority to work closely with my colleagues in the State Department and other agencies to ensure that we carry out an integrated and effective foreign economic policy. In addition, to ensure our economic approach is correctly calibrated for individual countries, I will work closely with our Ambassadors to solicit their views about the best way to support their countries' connection to our broader objectives in support of a more inclusive, secure, and prosperous world.

Question. Former Secretary of State Clinton announced her "Economic Statecraft" initiative in 2011, describing it as using the tools of global economics to strengthen our diplomacy and presence abroad, while putting that diplomacy and global presence to work to strengthen our domestic economy. This concept is essentially what you could term "economic diplomacy," or using the full range of economic tools—trade, investment, assistance, negotiations, sanctions, to achieve foreign policy objectives.

◆ (a) Has there been an internal State Department evaluation of the "economic statecraft" agenda since its introduction in 2011?

Answer (a). I understand the State Department established various performance goals under its economic statecraft initiative designed to track performance of officers in Washington and the field. These included supporting exports in the field, resolving commercial disputes, advocating for better economic governance abroad, and supporting commercial outreach. For FY 2013, the State Department informs me that they exceeded their economic statecraft Agency Priority Goal (APG) by 43 percent, achieving a cumulative total of 971 aggregate "success stories" related to promoting U.S. exports and investments and resolving commercial disputes. Economic and commercial outreach by missions also exceeded the annual goal, with more than 16,000 outreach activities, 114 percent above the FY13 goal of 7,460 outreach events.

◆ (b) Do you plan to continue the initiative, and if so, what additional policies would you implement to ensure that it leads to tangible economic growth here at home?

Answer (b). If confirmed, I will follow the directive Secretary Kerry has given the State Department to build on the successes of economic statecraft to intensify our efforts on economic diplomacy. Economic statecraft highlighted the usefulness of economic tools in achieving foreign policy objectives and aligned the State Department's economic efforts more closely with the important task of supporting economic growth and jobs in the United States. I will focus on policies and activities where the State Department can have the greatest impact. This would include greater coordination with the Departments of Commerce, USTR, and other U.S. Government agencies in advocating on behalf of U.S. firms, and concrete steps to open markets and help other countries develop their own economies so they can become

greater consumers of U.S. goods and services. The vast majority of the world's consumers are outside the United States, so the more foreign economies are open to trade and prosperous enough to do so, the more American firms can sell to them, and hire more workers at home.

- ◆ (c) In this context, how do you see the potential Trans-Pacific Partnership contributing to and facilitating the administration's "rebalance" to the Asia-Pacific region?

Answer (c). I believe the prosperity of the United States is inextricably linked to the economic success of the East Asia-Pacific region, and that U.S. policy toward Asia must include a strong economic component.

As part of the rebalance to the Asia-Pacific, the administration established a strong, comprehensive agenda for U.S. economic engagement with the region. The negotiation of the Trans-Pacific Partnership (TPP) agreement is the centerpiece of this agenda. Through the TPP, the administration is promoting development of a rules-based regional economic and trade framework that fosters an open, fair and transparent commercial environment that levels the playing-field for U.S. businesses and expands trade and investment linkages between the United States and other TPP countries. I believe that, once concluded, the TPP will increase trade and investment between the United States and these dynamic markets that will in turn serve as the foundation for strengthened ties with the region and help underpin security and stability in the Asia-Pacific.

Question. How do you intend to leverage the Department's global reach and use your senior-level role in the interagency process to enhance support to U.S. companies and increase trade and investment, while also addressing global challenges such as hunger, disease, poverty, climate change, citizen insecurity, and security threats?

Answer. If confirmed, I will work closely with USTR, USAID, Treasury, Commerce, and the White House, as well as our overseas posts and our business leaders, to enhance our services to, and advocacy for, U.S. businesses seeking investment and trade opportunities. Working with TDA, Ex-Im, and OPIC, we can offer assistance to U.S. business not available elsewhere. I believe strongly a whole-of-government effort is required to support effectively U.S. business in the face of strong and growing overseas competition.

Removing obstacles to trade and investment by U.S. companies drives economic growth and job creation in both the United States and our economic partners. Sustainable economic development, in turn, decreases poverty and hunger, improves security, and allows developing countries the space to work with us on other important global challenges like climate change public health.

The United States also supports critical economic and structural reforms through our collaboration with the IMF, World Bank, and the multilateral development banks. As the United States works with our international partners and through multilateral groups like the G8 and G20, we can help to improve economic opportunity for women and access to education and health care.

Question. The Trans-Pacific Partnership (TPP) negotiations have the ambitious goal of creating a "comprehensive and high-standard" FTA among 12 countries of widely differing economic and socio-economic levels, and with often radically different governing systems.

- ◆ (a) If confirmed, what will be your role and that of the Department in facilitating the conclusion of the TPP agreement, and supporting the equally important follow-on implementation phase and enforcement of trade commitments?

Answer (a). The Trans-Pacific Partnership (TPP) is a cornerstone of the U.S. trade agenda, and the economic centerpiece of the Obama administration's rebalance toward the Asia-Pacific. The State Department plays an important role in the whole of government effort led by USTR for negotiating a high standard and comprehensive TPP agreement. If confirmed, I will support fully the conclusion of this crucial agreement. I will participate in public outreach efforts through interviews, conferences, and public events, and engage with counterparts from TPP partner nations to encourage them to find flexibility and work toward concluding a high standard agreement. I will also represent the Department in interagency meetings convened by USTR to delineate final U.S. negotiating positions. After the TPP has entered into force, the Department—with the support of our embassies and consulates—will work with interagency colleagues to monitor and evaluate the implementation and enforcement of the TPP's obligations and commitments. If confirmed, I look forward to leading this effort.

- ◆ (b) How do you see the potential TPP agreement fitting in with the existing Asian economic and strategic agreements?

Answer (b). Many economic experts predict that the Asia-Pacific region will generate up to 50 percent of global growth and one billion new middle-class consumers in the coming decades. There are a number of efforts underway to tap into that economic opportunity, including the TPP and the Regional Comprehensive Economic Partnership (RCEP), which includes the ASEAN countries, four FTA partners, and China and India. I support the administration's view that these efforts are not mutually exclusive and that the high-standards of the TPP are the most effective way to open markets and promote regional economic integration.

- ◆ (c) Are you optimistic that the TPP can set "21st century commitments" on issues such as state-owned enterprises and intellectual property protection?

Answer (c). Promoting our innovation economy and leveling the playing field for U.S. companies competing with state-owned enterprises (SOEs) abroad is vital to the growth and prosperity of the United States. I understand the administration is working with our partners in TPP to ensure that TPP contains meaningful commitments on the commercial behavior of SOEs, an area of increasing concern to U.S. stakeholders. Another key priority is to ensure effective enforcement of intellectual property rights to maintain markets for U.S. job-supporting exports and services. I understand U.S. officials and negotiators have made clear to our partners that effective disciplines in these areas are critical to the United States and essential to the U.S. vision of TPP as an agreement that addresses 21st century challenges.

- ◆ (d) Do you anticipate that conclusion of a high-standard TPP will accelerate efforts in certain countries—for example, Vietnam—to establish internationally recognized principles for human and workers' rights and environmental protection?

Answer (d). Increased economic engagement with Vietnam has contributed to its opening to the outside world and improved the well-being of the average Vietnamese citizen. Economic engagement with Vietnam is an opportunity to press for strengthening rule of law, encouraging further openness and engagement with the international community, and raising standards in key areas. For instance, Vietnam's participation in the TPP would require it to commit to high standards on internationally recognized labor rights, environmental protections, and intellectual property.

If confirmed, I will work with my colleagues in the Department and interagency to continue to engage the Vietnamese Government on these issues, and reiterate the importance of an open and free civil society in ensuring inclusive and sustainable economic growth.

Question. We have an economy increasingly driven by innovation, and this has created millions of jobs, spurred stronger economic growth, and enabled the United States to remain among the most economically competitive countries in the world. However, I have serious concerns about the inadequate protection of property rights in a number of important emerging economies, including—but not limited to—India and China.

- ◆ (a) You have a wealth of private and public sector experience in this area. Will you commit to making the protection of intellectual property rights one of your top priorities? What tools does the State Department have to address these challenges?

Answer (a). If confirmed, I will make the protection of U.S. intellectual property rights holders a priority during my tenure at the State Department and will utilize all tools available to me to advocate for robust protection and enforcement of intellectual property rights (IPR), including trade secrets.

My experience in the private sector and at the Office of the U.S. Trade Representative has reinforced for me the value that IPR brings to innovative U.S. companies. If confirmed, my door will be open to companies to ensure that the State Department is raising IPR and trade secret issues with foreign governments at the highest levels. Additionally, I will be a partner in advocating for strong IPR regimes through trade agreements, such as the Trans-Pacific Partnership.

The State Department provides valuable input to the USTR-led Special 301 and Notorious Markets processes, utilizes public diplomacy programs to engage foreign audiences on key IPR concerns, and funds critical IP law enforcement training. If confirmed, I will support these efforts, working to target foreign policies that negatively impact U.S. firms.

- ◆ (b) Specifically with regards to India, are you concerned about India's intellectual property and localization policies in a number of sectors that favor their domestic companies at the expense of U.S. innovation and jobs?

Answer (b). I am deeply concerned about India's intellectual property and localization policies across a variety of sectors. These policies discourage innovators and affect U.S. businesses and, ultimately, American jobs. I have worked to address these issues in my professional capacity as both a public servant and in the private sector. The State Department and partner agencies have prioritized these issues in India. If confirmed, I will use my engagement with high-level counterparts in the Government of India to discuss U.S. concerns, international obligations, and best practices that contribute to a level playing field for U.S. innovators, entrepreneurs, and businesses, while exploring solutions that meet India's domestic policy objectives.

- ◆ (c) I and my fellow Senators are going to rely on you to let us know what we can do to encourage our trading partners to change policies on forced localization, intellectual property, tax, and other areas that unfairly disadvantage U.S. companies.

Answer (c). If confirmed, I would welcome a strong partnership between the State Department and Congress to advance U.S. interests on these issues.

Question. If confirmed you will oversee an incredibly diverse array of issues, and are responsible for advising the Secretary on matters of environment and energy policy at a time of great global challenges in both areas and significant developments here at home.

- ◆ How do you see the dividing lines of authority among you, the Energy Bureau, the OES Bureau, and the U.S. Special Envoy for Climate Change regarding international environmental issues? If confirmed, what will be your environmental priorities?

Answer. The position of the Under Secretary for Economic Growth, Energy, and the Environment oversees the Bureau of Energy Resources (ENR) and the Bureau of Oceans and International Environmental and Scientific Affairs (OES). If confirmed, I will lead the State Department's efforts to develop and implement energy and environmental policies to promote economic prosperity and address global challenges in a transparent, rules-based, and sustainable system. I will be responsible for integrating and coordinating the work of the ENR and OES Bureaus, as well as the Bureau of Economic and Business Affairs, each of which reports to the Under Secretary.

The Bureau of Oceans and International Environmental and Scientific Affairs (OES) works to advance U.S. foreign policy goals in such critical areas as climate change, resource scarcity, polar issues, oceans policy, health, infectious diseases, science and technology, and space policy.

The Bureau of Energy Resources' role on environmental issues is to work with countries around the world on sustainability and to facilitate the market forces that are key to sustaining the move to a cleaner energy future. This work includes fostering the development of regional electricity grids and regulatory harmonization to create larger markets, enhancing reliability and energy efficiency, and facilitating integration and trade from clean energy sources and technologies.

The Office of the Special Envoy for Climate Change (SECC) reports directly to the Secretary. SECC works closely with OES and ENR in developing U.S. international policy on climate, represents the United States internationally at the ministerial level in all bilateral and multilateral negotiations regarding climate change, and participates in the development of domestic climate and clean energy policy.

In the near term, if confirmed, my priorities will likely include supporting the Secretary's Oceans Conference to raise international attention to the critical challenges the world's oceans are facing and to identify solutions. In addition, the United States will assume chairmanship of the Arctic Council in 2015; this will be a key opportunity for leadership to achieve peaceful and sustainable development of the Arctic Region.

Question. If confirmed, what will be your international energy priorities, particularly in coordination with the Department of the Treasury, the White House, and the U.S. Executive Directors' Offices at the international financial institutions?

Answer. If confirmed, I plan to focus on promoting energy security, including accelerating the transition to a global clean energy economy. This would include opening opportunities in international electricity generation, transmission, and distribution—which are estimated to grow by \$17 trillion through 2035—to American trade and investment. I will also emphasize America's continuing commitment to

transparency and good governance in energy and other sectors, and our support for efforts to bring electricity and clean cooking fuels to underserved populations around the world. I will pursue these international energy priorities in coordination with Treasury, the White House, USAID, and the U.S. Executive Directors at the international financial institutions. A priority will be developing and implementing new multilateral development bank mechanisms and instruments for spurring investment in these priority areas.

Question. How do you envision working with Congress in protecting intellectual property rights, supporting U.S. renewable industries, and promoting U.S. job growth while fulfilling the administration's goals of alleviating energy poverty and offering low-carbon energy access to developing countries?

Answer. I believe U.S. companies derive tremendous value and competitive advantage from billions of dollars they invest in research and development, especially in cutting edge technologies like renewable energy, in which U.S. companies have a competitive advantage given our excellence in innovation. It is critical for American innovators to know their intellectual property and trade secrets are being protected. A number of Members of Congress have played leadership roles on intellectual property rights issues, and if confirmed, I will work closely with Congress, U.S. rights holders, foreign governments, and innovators and entrepreneurs around the world to strengthen intellectual property protection and enforcement.

Question. With regards to TransCanada's application to the State Department for a Presidential Permit to build the northern, cross-border segment of Keystone XL pipeline, what will be your specific role in reviewing the Keystone XL pipeline permit, or other energy-related Presidential Permit applications in the future? What is the status of this review?

Answer. I understand the President has delegated his authority to issue or deny permits for cross-border pipelines to the Secretary of State, and that Departmental delegations of authority also permit a number of senior officials to make permitting decisions. Those officials include the Deputy Secretary of State, the Deputy Secretary for Management, the Under Secretary for Political Affairs, and the Under Secretary of State for Economic Growth, Energy and the Environment. Historically, the Under Secretary of State overseeing economic affairs, now named the Under Secretary of State for Economic Growth, Energy and the Environment (E), has made many of the national interest determinations on Presidential permits for trans-boundary pipelines, and I anticipate that I would play an active role in such decisions if confirmed. With regard to the Keystone XL application, I am not aware of any decision regarding which of the authorized officials will make the decision.

Irrespective of whether the Under Secretary of State for Economic Growth, Energy and the Environment ends up making the national interest determination with regard to the Keystone XL permit application, if confirmed, I expect that I would play an active role in the Department's development of the national interest determination and the accompanying record of decision. A number of different bureaus and offices at the Department of State have expertise and interests relevant to this permitting decision. As the Under Secretary of State for Economic Growth, Energy and the Environment, I would oversee and coordinate the contributions of the Bureau of Energy Resources, the Bureau of Oceans and International Environmental and Scientific Affairs, and the Bureau of Economic and Business Affairs. I would also help coordinate with other Bureaus, such as the Bureau of Western Hemisphere Affairs.

I understand that the Department continues to work toward the Final Supplemental Environmental Impact Statement (SEIS) for the proposed Keystone XL pipeline, addressing issues identified in the more than 1.5 million submissions received during the public comment period, as appropriate. I have not been briefed on the technical aspects of that review because it is not yet final and I am a potential decisionmaker. After release of the Final SEIS, the State Department will seek the views of other federal agencies to determine if the proposed Keystone XL pipeline would serve the national interest. This process will involve consideration of many factors, including energy security; environmental, economic, and cultural impacts; foreign policy; and compliance with relevant federal regulations.

Question. The State Department is promoting shale gas development through the Global Shale Gas Initiative, but is it also exporting best practices in regulating the shale gas industry? If so, given that there is no consensus domestically on how to regulate the industry how are we effectively advising other countries on how to regulate shale gas development?

Answer. It is my understanding that the Department's Unconventional Gas Technical Engagement Program (UGTEP), formerly known as the Global Shale Gas Ini-

tiative (GSGI), seeks to share public sector policy and regulatory best practices gleaned from the United States with other countries interested in and considering developing shale gas resources. The program informs other countries about the technical, operational, environmental, legal, commercial and other issues associated with the sound development of the resource.

Question. What role do you think off-grid, distributed renewable energy technologies will play in providing electricity access to the 1.3 billion people who currently do not have access to electricity around the globe?

Answer. I believe that off-grid, distributed power systems will play a significant role in meeting the needs of millions of people around the world, including the 1.3 billion people who do not have access to electricity. According to the International Energy Agency (IEA), more than half of the new power generation required to meet this need could come from off-grid and mini-grid solutions. Of that, the IEA projects that more than 90 percent of the electricity would come from renewable sources, such as solar, wind, biomass and small hydro.

Question. Renewable energy generally has no fuel costs and low maintenance costs. Upfront capital costs are therefore a barrier to deployment. What is the State Department doing to help finance renewable energy deployment in the developing world? What more can be done to help finance small scale distributed renewable energy systems?

Answer. I understand the State Department is partnering with other U.S. Government agencies, financial institutions, and multilateral development banks as they develop and implement new mechanisms to spur investment in renewable energy deployment and to overcome policy obstacles that constrain the growth of clean energy. For example, I understand State has taken a lead role in the United Nations and World Bank Sustainable Energy for All (SE4ALL) initiative to increase energy access through the promotion of energy efficiency and renewable energy globally. State is also supporting regional efforts to mobilize financing for renewable energy projects—through the U.S.-Asia Comprehensive Energy Partnership (USACEP) and Power Africa, State and partner agencies are working to bring U.S. Government tools to bear in driving trade and investment in clean energy.

Question. In December 2009, the Treasury Department released guidance to the multilateral development banks on curbing coal investment. More recently, the Treasury Department released revised guidance reflecting the President's Climate Action Plan. Under this guidance the United States will not support financing new coal plants unless the host country is considered one of the world's poorest.

- ◆ When determining the world's poorest countries is the country's credit-worthiness an appropriate factor?

Answer. I understand the State Department is working with other agencies to implement the call in the President's Climate Action Plan to no longer finance coal fired power plants abroad except in rare circumstances. These include plants located in the world's poorest countries or plants that deploy carbon capture and sequestration technology. To date, the administration has used the World Bank's International Development Association "IDA-only" cutoff to define "poorest," which incorporates both per capita GNI and credit worthiness measures. The Department of Treasury has used the same cutoff for determining the world's poorest countries in its coal policy since 2009. IDA-only countries are eligible to access resources from the concessional windows of the multilateral development banks because of the combination of low per capita incomes and lack of access to market-priced loans, which together constitute a serious obstacle to development. If confirmed, I will monitor this policy closely to ensure that it allows the United States to balance addressing energy needs in poor nations with global environmental protection.

RESPONSES OF CHARLES RIVKIN TO QUESTIONS
SUBMITTED BY SENATOR ROBERT MENENDEZ

Question. The administration is pursuing an ambitious trade agenda and there are compelling arguments in favor of both the Trans-Pacific Partnership (TPP) and the U.S.-EU Trade and Investment Partnership. Yet I wonder whether full consideration is being given to the impact of these agreements on other countries and regions in which we have significant geostrategic interests. One example is that CAFTA countries warn they may face huge job losses in the textile/apparel and light manufacturing industries due to the TPP. This could have broader security and immigration implications that are beyond the scope of USTR.

- ◆ Are you concerned about the trade distorting impact of TPP and the potentially adverse impact it could have on other U.S. strategic priorities? What actions can the Department take to mitigate negative effects? What is the Department's role in ensuring that broader interests related to security, human and labor rights, and the environment are not sacrificed in the rush to complete a deal?
- ◆ How can the United States advance its current ambitious trade agenda while simultaneously strengthening relations with our existing allies and trading partners?

Answer. It is my understanding that the administration seeks to increase U.S. jobs, economic growth, and foster economic integration in the Asia-Pacific region through the TPP, while honoring our existing trade agreements around the globe. I appreciate the significant value of the trade opportunities and linkages of our free trade agreement partners, including the other countries of the CAFTA-DR. The United States and the CAFTA-DR countries share a highly integrated supply chain built on the United States providing textile inputs which are manufactured into apparel in the other CAFTA-DR countries and shipped back to the United States as finished garments. I understand the U.S. position in the TPP on textiles and apparel is taking this into account, and our existing trade agreements and business relationships were a factor in the U.S. tariff offer made in the TPP. If confirmed, I will continue EB's work to assure our partners from the other CAFTA-DR countries that the United States continues to bear in mind the unique nature of the CAFTA-DR in facilitating regional integration amongst all the partners, including the United States, and encourage them to take active advantage of the preferential access they currently have to adapt to global challenges and opportunities.

The United States existing trade partners—large and small economies, advanced and emerging—all share a belief that the best way to generate economic growth and job creation is to eliminate barriers to trade and investment. I believe that this administration has worked diligently to negotiate agreements that will most effectively address the challenges that exporters and investors face today, and to create open, fair, transparent, and predictable environments for global trade.

Through the TPP, the United States can solidify the 21st century rules of trade by opening markets, incorporating safeguards for innovation, addressing concerns in technology industries, and further protecting workers and the environment—all key concerns for policymakers and citizens. Participating in a high-standards agreement like TPP is crucial if the United States is to continue generating jobs for American workers and spur increased export opportunities for our companies. Moreover, the TPP has significant strategic value in providing the economic foundation for our security alliances in the region and broadening the links necessary to consolidate our global leadership position in the coming decades. The rapid expansion of the TPP negotiation since its launch suggests the broad appeal of this high-standard approach.

Question. The President's National Export Initiative, announced in his 2010 State of the Union address, set a goal to double our Nation's exports by the end of 2014. What has the State Department done to help reach that target, and what do you plan to do in your new role as EB Assistant Secretary to help make sure we reach that goal?

Answer. The U.S. exported more in the first half of 2013 than the entire year of 2003. In 2012, U.S. exports hit an all-time record of \$2.2 trillion, and I understand that the Department of State, and in particular the Bureau of Economic and Business Affairs (EB), has been extremely active in helping to facilitate exports in support of the National Export Initiative. U.S. Ambassadors and senior leadership has been ever more active in advocating for U.S. businesses overseas. I understand the Department, in the context of the National Export Initiative, is working much more closely with the Departments of Commerce and Agriculture, as well as with other export promotion agencies, to deliver services to potential U.S. exporters. As part of the Trade Promotion Coordinating Committee (TPCC), the Department is cross-training its personnel with these other agencies, and has even developed its own on-line trade promotion course. The Bureau of Economic and Business Affairs (EB) allocates funds for U.S. trade promotion activities and joint training with the Commercial Service (CS) at non-CS posts. In partnership with CS, State Department personnel provide CS branded export assistance programs at 59 posts without a CS presence. And EB has instituted two programs to capitalize our presence around the world for the benefit of U.S. business: Direct Line, which allows U.S. businesses to hear about and discuss market opportunities from our Ambassadors and economic and commercial professionals around the world via conference call or webinar, and the Business Information Database System (BIDS) which collects and makes information about significant foreign government and multilateral development bank

procurements available to U.S. business and other U.S. Government agencies on an open, internet-based platform. These efforts have already had a positive impact on U.S. exports.

If confirmed as Assistant Secretary, I will continue, and if possible expand, the excellent work of the Bureau of Economic and Business Affairs (EB) to help meet the President's goal of increasing jobs and creating jobs for American workers.

Question. Has the National Export Initiative resulted in increased coordination between the State Department and other agencies tasked with increasing U.S. exports? In your view, what can be done to encourage closer interagency coordination and is there a role that the State Department, in part through its global network of embassies, can play as an on-the-ground coordinator for U.S. trade promotion?

Answer. The National Export Initiative has resulted in increased coordination between the State Department and other agencies tasked with increasing U.S. exports. For example, the State Department plays a key role in promoting exports through advocacy with foreign governments and advice to U.S. businesses seeking to increase trade and investment activities in foreign markets. Economic Officers, Front Offices, and other sections at post work hand in glove with Commerce offices around the world to promote exports. In 59 posts where Commerce is not present (non-Commercial Service (CS) posts), State and Commerce have a formal partnership agreement that authorizes those posts to provide Commerce services to U.S. companies. In Washington, the Bureau of Economic and Business Affairs (EB) allocates funds for U.S. trade promotion activities and cross-training with the Commercial Service at non-CS posts.

Increasing the interoperability of U.S. Government agency database and other information technology platforms would allow us to better serve U.S. companies seeking to export. The State Department is collaborating with Commerce and other trade agencies to utilize technology to extend our reach and impact. Two examples of interagency collaboration are the new trade leads system—the Business Information Database System (BIDS)—and the Direct Line Program. In addition, continued joint training efforts, such the Trade Promotion Coordinating Committee training, has allowed agencies, state and local officials to operate from a common knowledge base and to have a better understanding of resources available to promote U.S. exports. If confirmed, I would work to improve interoperability of trade agencies information technology platforms to increase efficiency and better serve U.S. companies interested in exporting.

Our Embassies, under the Ambassador's leadership, have longstanding economic teams which undertake activities to promote U.S. exports, encourage job-creating investment in the United States, and represent U.S. business interests in their host countries. Our Ambassadors emphasize a whole-of-government approach when promoting U.S. business. If confirmed, I will continue to stress the importance of strong Embassy trade and economic teams led by our Ambassadors.

Question. In addition to FTAs, the United States extends unilateral trade preferences to developing countries through trade preference programs such as the Generalized System of Preferences and the Caribbean Basin Trade Partnership Act. What economic and foreign policy benefits does the United States gain from these policies, and how important is it that we continue to offer these programs and reauthorize them in a timely fashion?

Answer. Trade preference programs support U.S. jobs and competitiveness by reducing costs for U.S. farmers, manufacturers, retailers, and consumers, facilitating U.S. investment in beneficiary countries, and complementing U.S. foreign policy objectives. U.S. small businesses also rely on the savings from trade preference programs to compete with larger companies.

In 2012, U.S. businesses imported \$19.9 billion worth of products duty-free under the Generalized System of Preferences program, \$1.6 billion under the Caribbean Basin Trade Partnership Act, \$34.9 billion under the African Growth and Opportunity Act, and over \$1 billion under the Qualifying Industrial Zone (QIZ) program, including many inputs used in U.S. manufacturing. In addition, trade preference programs complement U.S. foreign policy objectives by requiring beneficiary countries to protect intellectual property, promote labor rights, enforce strong rule of law, and promote economic cooperation. The Qualifying Industrial Zones (QIZ) programs encourage economic cooperation, closer ties, and peaceful relations between Israel and its QIZ partners though Israeli content requirements on goods produced in QIZ zones. The Africa Growth and Opportunity Act (AGOA) has helped eligible countries grow and diversify their exports to the United States, has created jobs in the United States and Africa, and attracted investment in beneficiary countries.

Timely renewal of preference programs encourages investor confidence, leading to further economic growth and opportunity. If confirmed, I will work with Congress and the Office of the U.S. Trade Representative to ensure our preference programs continue to meet our objectives.

Question. The Latin America and Caribbean region is one of the fastest-growing regional trading partners for the United States. The average rate of growth in trade between the United States and the region since 1998 surpasses that of U.S. trade with Asia and the European Union. If confirmed, what actions will you take to help deepen the economic relationship between the United States and Latin America?

Answer. The United States has developed over the past 20 years a network of free trade agreements across the hemisphere that now stretches unbroken from the Arctic to the southern tip of Chile. The United States also has 11 bilateral investment treaties with partners in the hemisphere. If confirmed, I will work with our free trade partners to take full advantage of our network of trade agreements, for example by supporting development of shared value chains like those between the United States and Mexico, whereby Mexican finished-goods exports comprise approximately 40 percent U.S. content. Others in the hemisphere are also working to deepen regional economic integration. Chile, Colombia, Mexico, and Peru created the Pacific Alliance with the aim of achieving free movement of people, goods, capital, and services, and they are making admirable progress toward that goal. The United States became an observer to the Pacific Alliance in July and, if confirmed, I will work to identify mutual economic interests with the alliance and explore ways the United States can support its development. I will also work to deepen our bilateral economic relationships with partners throughout the hemisphere through economic dialogues, like the U.S.-Mexico High Level Economic Dialogue and the U.S.-Brazil Economic Partnership Dialogue.

Question. The United States is home to many of the world's most innovative companies, and these companies are a huge source of jobs and economic growth. Yet these critical contributors to our economy face increasing trade-related barriers around the world. These threats include government-sanctioned expropriation of valuable U.S. intellectual property, restrictions on FDI, and local content requirements. If countries see there are no consequences to violating the intellectual property rights of American countries, our most innovative sectors could face increasing difficulties, potentially impacting American exports and jobs.

- ◆ If confirmed, how will you use your role to address the policies of countries such as India, which are harming U.S. workers, innovators, and other job creators?

Answer. I share your concerns about trade barriers that U.S. companies in a diverse array of industries face abroad through, as you note, local content requirements, weak intellectual property regimes, and restrictions on foreign direct investment. As you are aware, my background in public service and in the private sector has provided me with a firsthand view of how these policies harm U.S. entrepreneurs and innovators, and ultimately, American jobs. It is my understanding that the State Department and partner agencies also share your concerns.

If confirmed, I will commit to actively using each tool available to the Bureau of Economic and Business Affairs to address the policies of countries that harm U.S. businesses abroad. I am aware that among these tools are formalized dialogues such as the U.S.-India Strategic Dialogue and the CEO Forum, where the State Department and partner agencies are afforded the opportunity to discuss ongoing economic issues with stakeholders and foreign officials. The Bureau of Economic and Business Affairs is also co-leading bilateral investment treaty negotiations with India, which will help address these concerns by leveling the playing field for U.S. investors. If confirmed, I plan to continue to highlight the impacts of such policies through EB's contributions to the Special 301 and Notorious Markets reports, as well as country reports in annual Investment Climate Statements.

Question. The United States and its Trans-Pacific Partnership (TPP) partners have set a goal of completing TPP negotiations by the end of 2013, and are now engaged on the most critical issues, including intellectual property provisions. With countries like India and China monitoring the outcome of an agreement that will cover 40 percent of global GDP, we must ensure that this agreement truly is a gold standard agreement by ensuring the inclusion of strong IP protections.

- ◆ If confirmed, will you work to secure strong IP protections in the TPP and other trade negotiations? Can you describe your role and that of the State Department in our global effort to improve IP protections?

Answer. If confirmed, I will work with Congress, other USG agencies, and stakeholders to ensure that we have strong IP protections in TPP. Given that this is a

key issue for the U.S. economy and our innovators and creators, we cannot afford to have a TPP agreement that does not achieve high standards of IPR protection. I pledge my efforts to assist the White House and USTR in accomplishing this outcome for U.S. interests.

The State Department contributes to the overall USG efforts to promote strong IP protection and enforcement globally. The Department is a key player in the efforts of the White House Intellectual Property Enforcement Coordinator (IPEC) as outlined in the annual Joint Strategic Plan (JSP). The Department also provides guidance on foreign policy issues in trade negotiations such as TPP and the Transatlantic Trade and Investment Partnership with EU countries, and in the Special 301 and Notorious Markets reports. The State Department leads on funding IP law enforcement capacity building programs. Further, the State Department uses public diplomacy to work through embassies to carry out programs with local rights holders and other interested groups to promote awareness about the economic and health dangers of counterfeit products and the value of local innovation and creativity in fostering economic development for local communities.

Question. If confirmed, your Bureau will be responsible for implementing foreign policy-related sanctions adopted to counter threats to national security posed by particular activities and countries. In light of the recent debate over the efficacy of further economic sanctions on Iran, I would appreciate hearing your views on the appropriate use of sanctions as a foreign policy tool.

Answer. In my view, sanctions can be an effective foreign policy tool if used appropriately. When broad enough, comprehensive enough, serious enough, and dedicated to a clear purpose, sanctions work. Sanctions also work most effectively when they are multilateral in nature and sustained and supported through rigorous implementation. However, it is important to note that sanctions are never an end in and of themselves but rather a tool to create leverage as part of our diplomatic efforts to resolve potential national security threats. In the Iran context, I believe that the effectiveness of our sanctions has brought us to a point where the Department of State has a chance to establish whether or not the calculus of Iran's leaders regarding its nuclear program has changed, and whether a peaceful resolution over the international community's concerns over that program is achievable.

RESPONSES OF TINA S. KAIDANOW TO QUESTIONS
SUBMITTED BY SENATOR ROBERT MENENDEZ

Question. Programing for countering violent extremism (CVE), including community engagement with the youth population and women, is essential to our counterterrorism policy.

- ◆ (a) Although measuring the success of these programs is difficult, what methods are being used to monitor their effectiveness?

Answer. At the project and program levels, the CT Bureau's CVE Program (CT/CVE) is developing a systematic Monitoring and Evaluation (M&E) approach that moves beyond recording simple outputs and moves toward measuring deeper level results, yet avoids attributing the mere absence of recruitment or radicalization to violence to particular programming. For each project, CT/CVE requires implementing partners to design an M&E plan, and to allot approximately 5 percent of project budget to M&E.

CT/CVE's M&E plans are conceptualized as part of project design, and track the following types of results: (1) how many viewers or participants were reached with CVE messaging or training; (2) skills imparted via training; (3) how project participants use those skills after their training; and (4) how CVE-relevant perceptions may have shifted as a result of exposure to messaging. This information is gathered in different ways, including surveys, interviews, focus groups, and proxy data collection. M&E can also include efforts to evaluate longer term impact on participants and the at-risk communities around which projects are designed. Followup results might include measures such as an increase among community members who perceive peaceful/nonviolent ideologies as influential and meaningful, and who make an effort to disseminate this message.

- ◆ (b) What kind of educational training and community development programs are used to counter violent extremism?

Answer. CT/CVE, the arm of the CT Bureau responsible for CVE programming, has three primary lines of effort: (1) providing positive alternatives for communities at risk of recruitment and radicalization to violence; (2) countering terrorist narratives and the violent extremist worldview; and (3) building the capacity of partner

nations and civil society to counter violent extremism. Areas of CVE programming include strengthening CVE-relevant relationships between community leaders and local law enforcement; prison rehabilitation and disengagement for incarcerated violent extremists; CVE outreach and training of diaspora communities; and amplifying the voices of victims and survivors of terrorism.

Some CT/CVE programming uses Nonproliferation, Antiterrorism, Demining, and Related Programs (NADR) funds, which require community engagement and training to involve host-country law-enforcement personnel as key participants in all phases of activity. One CT/CVE-funded project, for example, was based on the premise that building cooperation among local community leaders, law enforcement, and local government would alleviate problems associated with community instability, disenfranchisement, and marginalization, thereby increasing community resilience against violent extremism. The project included mentoring and training sessions for local law enforcement personnel in community engagement strategies, as well as facilitation, conflict mitigation, and communication techniques with other local stakeholders.

Similarly, NADR funds are used in support of prison rehabilitation and disengagement efforts, as well as to undermine the influence of violent extremist ideologues within prisons. With support from CT/CVE, an NGO is currently working in a country of particular CT concern to provide pro bono legal representation to nonextremist, petty offenders and pretrial detainees for whom there is no legal basis for continued incarceration. The prisoners and detainees represented by the NGO either cannot afford to hire a lawyer or are entirely unaware of their legal rights, which results in lengthy and often indefinite detention. The NGO also works with an educational institute which provides post-release vocational training and job-placement guidance to ease reintegration back into society and reduce recidivism risks.

In the realm of education, CT/CVE is helping to lead a nascent multilateral initiative on the role of education in CVE, and is developing a pilot project focused on the roles of critical-thinking skills, citizenship education, and sports in preventing violent extremism, as there is evidence of the preventive effects of each of these approaches among youth at risk of recruitment into insurgent groups and gangs.

Other CT/CVE programming focuses on outreach to diaspora communities and training to recognize signs of radicalization among their youth. In an ongoing project, a diaspora NGO from the United States is conducting an outreach and training tour among its sister diaspora communities in Western Europe and Canada. Through the medium of a documentary film, diaspora imams and community activists are successfully tackling the tough issue of recruitment and radicalization to violence among youth, a subject previously unaddressed and considered taboo in their community. The NGO is also using the community engagement events to link local law enforcement officials and social workers with trusted diaspora community leaders.

Finally, by sharing their stories, victims and survivors of terrorism offer a resonant counternarrative that highlights the destruction and devastation of terrorist attacks. CT/CVE trains victims and survivors to interact with conventional and social media; create public relations campaigns that amplify their messages; and seek out platforms that help them disseminate their message most broadly to at-risk audiences. Workshops also include journalists as trainers and trainees, training them to report in a more balanced manner on acts of terrorism and capturing the human dimension of such attacks.

- ◆ (c) In what ways is social media playing a role in countering misinformation by terrorist groups?

Answer. CT/CVE is in the nascent stages of developing programming to leverage social media for this purpose. However, there are a number of autonomous groups created by concerned American citizens that alert social media users to the dangers of Web-based violent extremist propaganda. One such group crowd-sources efforts to alert social media to terms-of-service violations committed by violent extremist ideologues.

The interagency Center for Strategic Counterterrorism Communication (CSCC), which CT/CVE helped to establish, counters the al-Qaeda (AQ) narrative and propaganda in digital environments, working in Arabic, Urdu, Somali and English, and utilizing text, still images, and video. CSCC's Digital Outreach Team (DOT) focuses specifically on al-Qaeda and the constellation of like-minded terrorist groups associated and affiliated with al-Qaeda.

DOT's current configuration and operations reflect the objectives and priorities in the 2011 Executive order establishing CSCC. The team pushes back against AQ propaganda in interactive digital environment-like forums, YouTube, Twitter, and

Facebook. Thanks to a simplified process for clearing text, the team is able to engage rapidly, posting 25–30 engagements every day.

Three basic principles animate the team’s activities: contest the space, redirect the conversation, and confound the adversary. The first in particular involves establishing an overt U.S. Government presence to push back against the AQ narrative and propaganda, and to counter the misinformation about the United States that frequently fuels violent extremist narratives.

Since 2011 the DOT has produced 18,000 engagements (most in the form of texts and other posts); 55,000+ Facebook fans (Arabic, Punjabi, Somali and Urdu); 240+ posters/banners; and 140+ videos.

In addition, the Special Representative for Muslim Communities (SRMC) implements a program called Viral Peace, which empowers key influencers in at risk communities and teaches them strategies to directly engage violent-extremist messengers online.

Question. The Global Counterterrorism Forum (GCTF) was launched two years ago with 30 founding members in an effort to address global terrorism. The GCTF is a forum where experts in counterterrorism can come together and identify critical CT needs, develop solutions to emerging threats around the world and assist countries in countering violent extremism.

- ◆ In the 2 years since its launch, what successes do you view have come out of the GCTF?
- ◆ What are the limits to the Forum and what more can be done to address them?
- ◆ The United States is currently a cochair of the Forum. What are the goals of the United States to accomplish in the GCTF during its tenure as cochair?
- ◆ This year the Forum launched the “Global Fund for Community Engagement and Resilience”—a public-private fund to counter violent extremism using grassroots efforts where radicalization and recruitment is occurring. Can you expand on the focus-areas of this fund?
- ◆ It is expected to raise more than \$200 million over the next 10 years to support local, antiviolent extremist causes. Will this be sufficient to address local needs? How will this fund complement U.S. Government efforts to combat violent extremism?

Answer. Successes: With the GCTF, we now have a flexible, action-oriented platform that allows prosecutors, police, prison officials, judges, educators, border security officials, and community leaders from different countries looking at the counterterrorism (CT) and countering violent extremism (CVE) agenda to be able to network and learn from one another. It also offers the United States and its donor partners a framework for improving coordination and collaboration on a set of shared capacity-building priorities in key countries and regions.

Overall, the Forum has mobilized more than \$215 million from partners to support civilian-related capacity-building projects in areas of strategic priority (rule of law and CVE) and its experts have elaborated six sets of nonbinding, rule of law-based, good practice documents, supporting the development of effective CT and CVE practices. Each of these documents has been endorsed at the ministerial level of the GCTF membership. They provide all countries with practical guidance on how to build capacities in certain thematic areas and offer donors and implementing partners a set of strategic frameworks to provide assistance and coordinate capacity-building engagement in priority third countries. They are focusing donors’ resources on priorities being identified through the GCTF, with a strong U.S. influence.

For example, the Forum’s Rome Good Practices promote the importance of a rule of law-based approach to prison management, emphasizing that the rehabilitation of violent extremist offenders can only succeed when done in a safe, secure, well-managed, and regulated environment. The Forum’s Rabat Good Practices, which the U.S. Department of Justice (DOJ) played a key role in developing, provide a series of robust yet human rights-compliant procedural and legal tools for strengthening the role of the justice sector in preventing terrorism. The Forum’s Algiers Good Practices, elaborated by the United States and Algeria, and endorsed by the U.N. Security Council and G8 Leaders, highlight a number of practical law enforcement, criminal justice, and intelligence tools for all countries to consider developing and implementing to prevent and deny the benefits of kidnapping for ransom to terrorists. The CT Bureau is leading the effort, with GCTF partners, to develop a set of training modules to advance capacity-building efforts in this field. In addition, Department of State (DOS), Department of Homeland Security (DHS), and the U.S. Institute of Peace developed what became the Forum’s Good Practices on Community Engagement and Community-Oriented Policing as Tools to CVE, which are designed to inform the CVE policies, approaches, and programs of GCTF members and others, as well as create a foundation for continued dialogue, collaboration, and

research among interested GCTF members and other interested government and nongovernment stakeholders.

Perhaps the Forum's most significant, long-lasting impact will be the three new international institutions it has set in motion: (1) the Hedayah Center, launched in the UAE in December 2012 as the first-ever dedicated platform for CVE training, dialogue, and collaboration, is now open; (2) the International Institute for Justice and the Rule of Law, anticipated to be operational in 2014 in Malta, will provide a focal point for training in criminal justice and rule of law approaches to CT in North, West, and East Africa, and (3) the first-ever public-private global CVE fund—the Global Fund on Community Engagement and Resilience—which the Secretary announced at the September 2013 GCTF ministerial, will provide grants to local NGOs working to support the antiextremist agenda. Although none of these are or will be “GCTF” institutions, the Forum, because of its diverse membership and commitment to action, was uniquely positioned to develop and launch them, and interested members will be involved in their governance, staffing, and funding.

As we anticipated, members from different regions have stepped forward to take action within the Forum, with Algeria, Australia, Canada, Denmark, Egypt, Indonesia, Italy, Morocco, The Netherlands, New Zealand, Spain, Switzerland, Nigeria, Turkey, the UAE, and the U.K. among the most active members. We are also seeing increasing interest in GCTF activities among our interagency partners, as they see the GCTF as a vehicle to advance some of their strategic priorities. This includes DOD, DHS, DOJ, Treasury, CSCC, USAID, and NCTC.

Overall, since its launch, the Forum has far exceeded expectations, with a wide range of activities being supported by an ever-growing number of enthusiastic international partners, and with civilian CT practitioners being the direct beneficiaries. New GCTF initiatives for 2013–2014 include ones on (1) CVE and education led by the UAE; (2) “foreign fighters” coled by Morocco and The Netherlands; (3) the role of judges in handling CT cases within a rule of law framework led by the United States; and (4) the use of intelligence as evidence in CT trials led by the United States.

Limits: The Forum is making a real difference, but we need to continue to maintain the high level of political support both in Washington and other capitals, as well as further deepen the involvement of CT practitioners and experts outside of foreign ministries, to maximize its impact and potential over the long term.

Goals: Our hope is that as a result of the Forum's work, countries from around the globe will have more of a common understanding on the nature of the terrorist threat and a common playbook for tackling it because so many of our practitioners and policymakers will have shared expertise and challenges, trained, and networked together through the centers of excellence, the Forum's working groups, and other GCTF sponsored or inspired activities. The most likely way to maintain this high-level of support is by ensuring that the Forum continues to produce the sort of action-oriented outputs that GCTF ministers expected when they launched the initiative in September 2011 and that distinguishes the Forum from many of the existing multilateral fora engaged on CT issues. We will need to work to ensure that diversity of countries stepping forward to lead practical initiatives that connect practitioners and experts from different regions and to fund training and capacity-building projects against priorities being identified via the Forum's work.

The Fund's Focus-Areas: In September 2013, Secretary Kerry and Turkish Foreign Minister Davutoglu announced that work would begin to develop the Global Fund on Community Engagement and Resilience (the Fund), the world's first public-private global CVE fund. It is anticipated that the Fund will support CVE projects at the local level implemented by local NGOs. CVE efforts have a better chance of succeeding and enduring when owned and implemented by local civil society groups. Anticipated thematic focus areas, and related illustrative activities, include: (1) education (e.g., critical-thinking skills, life skills, vocational training, and mentorship to youth at risk of recruitment and radicalization to extremist violence); (2) communications (e.g., local platforms for community leaders and activists to promote and provide positive alternatives; messaging that highlights the impact of terrorism on families, communities, and countries; efforts by “formers” to make videos about their own recruitment into, and exit from, extremist violence); and (3) community engagement (e.g., law-enforcement, confidence-building activities with at-risk youth and interreligious dialogue).

Funding the Fund: In expecting to raise over \$200 million over the next 10 years, we anticipate that this will be enough to support local needs for two reasons. First, most projects are estimated to be small scale, and will likely build on previous local work by the same organizations. Second, as worthy projects deliver results and as the Fund lines of effort become more broadly publicized, other donors will be incentivized to contribute to the Fund, or encouraged to support similar work in the same

countries. Also, it should be noted that Switzerland has generously committed to providing the Fund office space and key personnel for its first 4 years of operation. This will substantially defray operating costs in the Fund's early years, thus allowing more donor contributions to directly support grants to local NGOs.

Complementing U.S. Efforts: The Fund will complement U.S. Government CVE efforts by filling critical gaps. It will be an efficient mechanism by which multiple donor governments and private sector entities can support and nurture small-scale, local efforts. Many local groups with innovative CVE project ideas have been unable to get off the ground because of the difficulty in attracting seed funding. Where they have gotten off the ground, they have faced challenges in securing sufficient funding to sustain or expand their work. Local NGOs often need training and mentoring in effective project development, implementation and management. The Fund will be able to respond to these emerging CVE actors and their needs in a systematic way under one roof.

Question. The United States has made a strong commitment through the implementation of the National Action Plan on Women, Peace, and Security to increasing women's inclusion in our global counterterrorism efforts. How will you work to fully integrate gender into the Bureau of Counterterrorism's policies and programs and what metrics will you use to specifically determine the impact of this gender integration?

Answer. In 2012, the Bureau of Counterterrorism (CT) developed its own Women in Counterterrorism Strategy, which supports the U.S. National Action Plan (NAP) on Women, Peace, and Security, as well as the Department of State's NAP Implementing Strategy. The strategy is designed to ensure more comprehensive counterterrorism policies and programs by integrating women and has four objectives: capacity-building, participation, protection, and engagement. Since the strategy's development, various offices and programs within the CT Bureau have been undertaking efforts to institutionalize it. For example:

- The Countering Violent Extremism (CVE) Program prioritizes the inclusion of women in its projects to improve women's ability to engage in CVE activities. The CT Bureau has funded several projects designed to train women on the signs of radicalization and recruitment to violence and ways to counter it in their communities, and to build women's capacity to communicate and work together with law enforcement for CVE solutions. These projects often incorporate female victims of terrorism—either those who have experienced terrorist acts firsthand or those who lost their family members to terrorist organizations—who can express a counternarrative that resonates with fellow mothers, wives, or sisters and helps amplify the CVE message.
- The CT Bureau's Office of Multilateral Affairs is working to ensure the inclusion of gender components in counterterrorism policy documents of related international organizations. The office has also funded regional workshops that support efforts for women's empowerment in the area of crisis and disaster response in countries where women are not treated equally with their male counterparts.

The CT Bureau measures the general effectiveness of CVE programming by drawing from the experience of established monitoring and evaluation (M&E) practices from other fields and adapting them to CVE project development. For example, metrics from communications, youth development, conflict mitigation, and peace-building have been key sources for building CVE's M&E practice. To determine the specific impact of gender integration, the CT Bureau monitors the outcomes of gender-inclusion in its projects, focusing on short-term capacity-building gains, as well as longer term results in women's empowerment in the security sector. If confirmed I will continue to build upon these efforts to increase women's participation in counterterrorism efforts, monitor and evaluate our progress, and improve the effectiveness of our programs.

Question. Considerable research has demonstrated that women can be critical components of efforts to combat terrorism by enhancing the operational effectiveness of security forces and intelligence collection. However, in many countries, including Pakistan and Afghanistan, women continue to be vastly underrepresented in security institutions. What can the United States do to better promote women's inclusion in the security sector in these countries to more effectively counter terrorism?

Answer. The CT Bureau's experience with women's inclusion in the security sector provides a potential blueprint for ways in which the United States can better promote women in counterterrorism efforts. For example, the Anti-Terrorism Assistance (ATA) Program, a partnership between the CT Bureau and the Bureau of Diplomatic Security, trains units of female law enforcement officers in Afghanistan and

Pakistan and attempts to recruit American women instructors to teach ATA curriculum. The ATA Program also tracks the number of women trained in each partner nation through the use of Nonproliferation, Anti-Terrorism, Demining, and Related Activities (NADR)/ATA funding. Finally, ATA is making changes to ATA curricula to emphasize the particular need to protect women in the course of counterterrorism investigations and operations.

The CVE Program is implementing a women and security project that supports security training for female civil society leaders, as well as dialogues with law enforcement personnel to devise CVE-prevention strategies and pilot activities.

The CT Bureau's experience demonstrates that requiring women's inclusion from the start of the project helps ensure their involvement throughout the project and in followup activities. Also, providing safe spaces for women to interact with the security sector helps ensure that their existence is acknowledged, their concerns are addressed, and their involvement in countering terrorism is amplified.

Question. The administration is focused on finalizing the Bilateral Security Agreement with Afghanistan. Equally important are the regional implications of the security and political transition in Afghanistan. I am especially concerned about terrorist groups active along the Afghanistan/Pakistan border which could become more active throughout the region, post-2014.

- ◆ Can you describe our diplomatic efforts and planning to address these concerns and perhaps mitigate potential second- and third-order effects of the transition? Please share specifics on how we are engaging with the following allies on the post-2014 threats posed by terrorism: (a) India; (b) Pakistan; (c) the countries of Central Asia.

Answer. The State Department's Counterterrorism (CT) Bureau shares Senator Menendez's concern about terrorist groups active along the Afghanistan/Pakistan border and throughout the region. We share the concern about terrorist groups active along the Afghanistan/Pakistan border and throughout the region. We recognize that extremist threats originate from a host of groups beyond core al-Qaeda, including the Haqqani Network, Lashkar-e-Tayyiba, Tehrik-e-Taliban Pakistan, and the Islamic Movement of Uzbekistan, among others, that pose a threat to the region's stability and to U.S. persons and interests.

Concluding a Bilateral Security Agreement with Afghanistan will provide a platform for continued U.S. counterterrorism operations that will assist Afghanistan security forces to counter terrorist threats in the near term. In the longer term, our regional partners need to take steps to reduce the wellspring of extremism and to develop the capacity to combat terrorist organizations through effective security forces. We are working throughout the region to strengthen our partners' domestic and regional capabilities to combat extremist groups.

India: India, having suffered countless terrorist attacks over the past 10 years, shares our concern about regionally focused extremists such as Lashkar-e-Tayyiba. Groups currently operating in Afghanistan may seek to increase targeting in other parts of South Asia—including India—after the coalition's drawdown in Afghanistan. India is a close security partner with whom the United States maintains an ongoing dialogue on the threat of militant groups and combating terrorism. The United States and India maintain close collaboration on these issues through fora such as the Counterterrorism Joint Working Group (CTJWG), and the Homeland Security Dialogue (HSD). India is also a key partner in the Global Counterterrorism Forum which focuses on rule of law, threat finance, and countering violent extremism through a number of working groups. If confirmed, I will convene a meeting of the U.S.-India Joint Counterterrorism Working Group which brings together elements of both countries' counterterrorism communities to focus on terrorist threats and cooperative efforts to address them.

Pakistan: Pakistan remains a frontline state in our efforts to defeat al-Qaeda and remains engaged in military operations against al-Qaeda and affiliated groups like Tehrik-e-Taliban Pakistan. Pakistan has also taken significant steps over the past year to counter the threat of improvised explosive devices, the weapon of choice for insurgents within Pakistan and in the region. Pakistan also passed new counterterrorism legislation aimed at increasing its tools to disrupt terrorist financing and to prosecute terrorism cases. This new legislation provides more support for Pakistan's National Counterterrorism Authority (NACTA).

These improvements will allow Pakistan to present better cases against extremists in court and the NACTA will provide it with a useful platform to coordinate interagency counterterrorism efforts. To support the overall goal of improved counterterrorism efforts in Pakistan, the Department through its ATA program is providing technical assistance to Pakistan's police to prevent, investigate, and prosecute acts of terrorism and support to NACTA.

We are working to increase Pakistan's participation in multilateral fora, including through the Global Counterterrorism Forum, and increasing civic action against terrorism through our countering violent extremism programs. Should I be confirmed, improving Pakistan's efforts to combat violent extremism will remain a key priority for the CT Bureau.

Central Asia: The drawdown of U.S. forces in Afghanistan has raised anxiety levels among our Central Asian partners about the increased potential for instability and extremism, especially beyond 2014. To help address those concerns and strengthen regional stability, we are using a combination of diplomatic engagement and capacity-building assistance.

On the diplomatic front, for example, the United States holds annual bilateral consultations with each of the five Central Asian countries, which provide a venue to openly discuss every aspect of the relationship, including security cooperation.

Our bilateral security assistance is helping build the Central Asian states' capacity to counter a broad range of threats, including terrorism. The State Department's ATA program is active in the region, with an emphasis on border controls and increasing counterterrorism investigation capabilities.

RESPONSES OF PUNEET TALWAR TO QUESTIONS
SUBMITTED BY SENATOR ROBERT MENENDEZ

Question. How is the fluid nature of security developments in the Middle East affecting U.S. efforts to ensure that Israel's Qualitative Military Edge is maintained? Is the cumulative capability of the region considered in ensuring Israel's qualitative military edge?

Answer. If confirmed, I will continue to prioritize the PM Bureau's efforts to strengthen security cooperation with Israel and safeguard its qualitative military edge (QME). That responsibility includes making sure Israel is well positioned to respond to the rapidly changing security situation in the Middle East and to make sure the United States and Israel are prepared for different regional contingencies. The administration has been and continues to monitor events throughout the region closely. The PM Bureau regularly assesses the capabilities of the region's militaries and nonstate actors to ensure Israel maintains its military superiority. PM is also taking full advantage of the consultative and political mechanisms currently in place to respond to, and act on, Israel's concerns, and to ensure the unrest in the region does not threaten Israel's QME.

The United States is committed to helping Israel maintain its QME, defined as Israel's ability to counter and defeat credible military threats from any individual state, coalition of states or nonstate actors, while sustaining minimal damage or casualties. This policy was written into law in 2008, but it has long been a cornerstone of the U.S.-Israel security relationship.

In addition to fulfilling the requirements of the Naval Vessel Transfer Act of 2008, the United States protects Israel's QME in a number of important ways. (1) Israel is the leading recipient of FMF. In FY 2013, which marked the 5th year of a 10-year, \$30 billion MOU, Israel received \$2.94 billion in FMF, slightly less than the \$3.1 billion request level due to sequestration. The Department is requesting the full \$3.1 billion in FY 2014; (2) Israel is the only country authorized to use one-quarter of its FMF funding for domestic defense procurement, which provides significant flexibility in meeting immediate procurement needs and supporting the Israeli defense industry; (3) Israel has privileged access to advanced U.S. military equipment, such as the F-35 Joint Strike Fighter and, more recently, the MV-22 Osprey; (4) the United States is cooperating with Israel, using DOD appropriated funding, to develop a comprehensive air and missile defense system that protects Israel against ballistic and cruise missile threats; and (5) the United States has provided additional funding outside of State's annual FMF request to support the expansion and acceleration of the Israeli-developed Iron Dome short-range rocket defense system. In FY 2011, Congress provided an additional \$205 million for the procurement of additional Iron Dome systems. Israel received an additional \$70 million in FY 2012 for Iron Dome systems and Israel is expected to receive another \$195 million in FY 2013.

Question. To what extent will the impending U.S. military drawdown from Afghanistan and the apparent absence of further Pakistan Counterinsurgency Capability Fund assistance alter the nature of U.S. defense relations with Pakistan? Do you think the PM Bureau's plans for future security assistance to Pakistan through Foreign Military Financing will emphasize conventional armaments or those better suited to counterterrorism operations?

Answer. The U.S. defense relationship with Pakistan will remain a key national interest after the 2014 drawdown. The Departments of State (State) and Defense (DOD) have discussed the drawdown from Afghanistan with Pakistan, most recently at the November 2013 Defense Consultative Group (DCG) meeting in Washington. At that meeting, the Pakistani delegation noted that stability in Afghanistan would contribute greatly to its own security. Over the last year, State and DOD have refocused U.S. security assistance on the mutual interest of achieving stability along the Afghanistan-Pakistan border. I anticipate that cooperation on counterterrorism and counterinsurgency operations in that area will remain the primary focus of the defense relationship after the drawdown in Afghanistan.

The United States and Pakistan have agreed to narrow the scope of U.S. security assistance to seven counterinsurgency and counterterrorism capabilities: air mobility and combat search and rescue; battlefield communications; border security; counter improvised explosive devices and survivability; night operations; precision strike; and maritime security. In February 2013, the United States and Pakistan developed a plan to limit U.S. security assistance projects to these seven capabilities for 5 years.

At that meeting, State and DOD informed Pakistan that the administration would not request further Pakistan Counterinsurgency Capability Funding (PCCF). At these regular bilateral exchanges, State and DOD have stressed to Pakistan that U.S. security assistance will only support Pakistan's counterinsurgency and counterterrorism capabilities, not conventional capabilities. I believe that Foreign Military Financing (FMF), along with remaining PCCF, is sufficient to build Pakistan's counterinsurgency and counterterrorism capabilities.

Question. What role has the PM Bureau played in the rebalance to the Asia-Pacific, which has been described by some as principally defined by DOD-led initiatives? What role should it play going forward?

Answer. The administration's strategic rebalance to the Asia-Pacific region reflects the United States longstanding security, economic, and people-to-people ties to the region and the region's growing importance to global peace and prosperity. Through the rebalance, the United States is strengthening treaty alliances, deepening partnerships with emerging powers, shaping an effective regional architecture, increasing trade and investment, updating force posture, and expanding democratic development.

As the principal link between the Department of State and the Department of Defense, the Political-Military Affairs Bureau has a key role to play in the administration's Strategic rebalance to Asia, and in particular on security and defense issues. The Bureau leads an expanding set of political-military dialogues with countries in the Asia-Pacific region and frequently engages with its Foreign and Defense Ministries on cross-cutting political and defense issues. Since the unveiling of the rebalance, PM launched political-military talks with two new partners, India and Bangladesh.

In the last year alone, the Bureau has approved and notified to Congress over \$20 billion in Foreign Military Sales to countries in the region. In 2009, PM notified Congress of just \$2.23 billion in sales.

Last year, PM contributed approximately \$20 million for conventional weapons destruction, a higher total than in years prior to the announcement of the strategic rebalance. Additionally, the Bureau requested approximately \$75 million in Foreign Military Financing and International Military Education and Training funds to Asia-Pacific countries, which is a \$22 million increase from the previous year.

The Political-Military Affairs Bureau is currently leading key negotiations of security-related agreements to facilitate the deployment, movement, and protection of U.S. military forces and material throughout the region. PM also ensures the alignment of military training and bilateral and multilateral military exercises with U.S. policy objectives for the region, advances U.S. interests in freedom of navigation and overflight in the context of complex territorial and maritime disputes, and coordinates closely with Pacific Command on the development of peacetime and contingency plans. Finally, PM works diligently to integrate Asia-Pacific navies into counterpiracy missions in the Gulf of Aden.

Going forward, if confirmed, I will work to make sure the Political-Military Affairs Bureau continues to prioritize the administration's engagement in the Asia Pacific and play a key role in the whole of government engagement in the region. The Bureau will continue to advocate for U.S. defense sales to partners in the region, provide assistance, training, and equipment to key allies and partners, and ensure that U.S. diplomats and military personnel are well positioned in the region to build partnerships that will ensure lasting stability in the Asia-Pacific.

Question. The number of overall pirate attacks has declined precipitously since 2011. Please explain why this has been the case. To what extent should piracy remain a central concern for the PM Bureau and for the U.S. Government as a whole? What lessons, if any, should we take from the apparently successful antipiracy effort?

Answer. Pirate attacks off the coast of Somalia have decreased for three reasons:

- Improved self-protection of commercial ships, especially through the use of embarked armed security teams;
- Proactive disruption of pirate action groups by naval counterpiracy forces working together informally but effectively; and
- Greatly increased rates of prosecution of suspected pirates and their land-based organizers. Pirates no longer have the impression that they will not receive punishment. Over 1,400 Somali pirates are being tried, or are serving sentences for piracy and related crimes, in 21 countries.

The administration's progress against piracy off the coast of Somalia, while remarkable, is fragile and reversible. Piracy raises the cost of global commerce, threatens critical energy routes, disrupts humanitarian aid to eastern Africa, and puts the lives of seafarers in danger. Pirates are often organized in transnational criminal networks which smuggle arms, drugs, and human beings. The proceeds from these networks benefit indirectly the extremist groups that contribute to regional instability. Therefore, PM will continue to track development associated with piracy. Without U.S. and allied engagement along and without an actual naval presence off the coast of Somalia serving as a deterrent, incidents of piracy could easily spike again. Despite the costs, presence and continued engagement is needed until a long-term solution—on the ground in Somalia—is created. The most important lesson from the success against Somali piracy is that inclusion of all stakeholders is critical to the solution of complex problems. The Contact Group on Piracy off the Coast of Somalia, which PM helped to create in January 2009, is a unique ad hoc construct of about 80 governments, governmental and intergovernmental organizations, private industry associations, and philanthropic organizations. The group has defined both the complex components of piracy arising from the failed state of Somalia and the various lines of action that will eventually help deliver long-term solutions to the problem.

- The maritime industry's active cooperation in the Contact Group was indispensable to their agreement to the use of embarked armed security, which they originally vigorously opposed.
- U.N. organizations and agencies actively engaged in efforts to stabilize and support Somalia in its political recovery from decades of civil war are crucial to the delivery of counterpiracy programs.
- Governments' willingness to provide naval forces to combat piracy, and to work collaboratively in unconventional ways with nontraditional partners, is a model to emulate in the future.
- Governments' willingness to modify their laws to permit the embarkation of armed security, the commitment of forces to combat piracy, to adopt or update domestic antipiracy legislation to more effectively prosecute this ancient crime, and to provide direct technical and financial assistance to regional countries to help them suppress piracy, are necessary preconditions to the success of this complex but important undertaking.

Question. What impact has sequestration had on the work of the PM Bureau, including on Foreign Military Financing and export license processing? What effects are budgetary constraints likely to have going forward? How would you, if confirmed, ensure the appropriate prioritization of the Bureau's work in a tight budgetary environment? To cite one example, the previous Assistant Secretary made it a point to attend or send other senior Bureau officials to major air shows around the world to advocate for U.S. defense products; if confirmed, would you continue this practice?

Answer. The mandatory cuts imposed by sequestration are not the ideal way to run the government. Indeed, the sequestration cuts and budgetary constraints have affected the PM Bureau's operations.

Sequestration forced cuts to all Foreign Military Financing programs, including longstanding commitments to Israel and Jordan. The cuts were consistent with the letter of the law and the Department's policy to apply foreign assistance cuts equitably. Sequestration cuts also reduced the number of students that the U.S. Government could train in the United States under the International Military Education and Training program.

With respect to export license processing, sequestration has had minimal impact on the operations of the PM Bureau's Directorate of Defense Trade Controls (DDTC), and no discernible impact on export license processing.

If confirmed, I will continually assess and prioritize these and other critical functions within the PM Bureau, ensuring that the Bureau can execute its mission within the context of a constrained fiscal environment. If PM attendance at air shows is shown to be a cost-effective way to advance U.S. interests and support industry, then I will support sending PM representatives to these type of events.

Question. What challenges does the PM Bureau face in coordinating with other agencies, including (but not limited to) the Department of Defense? Similarly, what challenges does it face in coordination within the State Department, such as with the regional and other functional Bureaus (such as the Bureau for Democracy, Human Rights, and Labor)? How would you, if confirmed, address these challenges?

Answer. PM is the State Department's principal link to the Departments of Defense. It is my understanding that Secretaries Kerry and Hagel emphasize the coordination between State and Defense and the two Departments are communicating, coordinating, and collaborating well at all levels. The number of Foreign Policy Advisors detailed to the Department of Defense (DOD) and Military Advisors detailed to the Department of State is at an all-time high. PM coordinates the participation of State Department regional and functional experts in defense strategic planning and Combatant Command planning to ensure defense plans and U.S. military activities are consonant with U.S. foreign policy and Department of State activities. DOD, in turn, along with State regional and functional bureaus, participates in PM security sector assistance (SSA) planning, including PM's annual Security Assistance Roundtables that focus on regional priorities.

If confirmed, I welcome the opportunity, to help ensure that military assistance programs complement nonmilitary assistance programs managed by other State Department bureaus, including for counterterrorism, rule of law development, countering transnational crime, counternarcotics, and humanitarian assistance. Should I be confirmed, I intend to continue to work closely with the Bureau for Democracy, Human Rights, and Labor to ensure U.S. assistance undergoes rigorous Leahy vetting.

Within the context of Presidential Policy Directive 23 on SSA, which calls for a more holistic approach to SSA, PM coordinates closely with the U.S. Agency for International Development, and the Departments of Treasury, Justice, and Homeland Security as well as Defense. There is strong agreement on the principles of a holistic approach to implementing PPD 23. My challenge, if confirmed, is to help align different approaches to planning and programming to implement security sector assistance more effectively.

Question. Under the political adviser (or POLAD) program, senior State Department Foreign Service officers are provided as advisors to senior military leaders. This program has grown dramatically in recent years, from roughly 15 POLADs in 2007 to almost 100 in 2013.

- ◆ In your view, how successful has this program been? Please provide specific examples. How do you see the future of the POLAD program? In the current budget-constrained environment, is this an appropriate use of resources?

Answer. The Foreign Policy Advisor (POLAD) Program is a cost-effective effort to reinforce links between the Department of State and Department of Defense by providing commanders (two star and above) with State Department Foreign Service officers who serve as senior advisors. The program, which PM manages, has had the flexibility to accommodate emerging requirements in the Department of Defense. When a major general or a rear admiral requests a POLAD, PM has almost always had the flexibility to provide him or her with one.

In the year 2000, PM oversaw just 10 POLAD positions. Between 2007 and 2011, the Departments agreed to create 60 additional positions. At present, the number of POLAD positions has leveled off to a steady state of 91. DOD Commands, PM, and the Foreign Service assignment system feel comfortable with the current size of the program because it covers almost all the most important commands and offices at the Department of Defense including the Geographic Combatant Commands, the Joint Staff, and the Service Chiefs. The end of the U.S. military missions in Iraq and Afghanistan, and the reduced need for POLADs there, for example, have enabled the Bureau to maintain the same number of POLAD authorizations, but increase the geographic and functional scope of Department of State presence in the Department of Defense. In calendar year 2013, the Bureau reprogrammed POLAD positions no longer needed to provide Department of State support to the North Atlantic Treaty Organization, the Army Component of U.S.

Northern Command, the Special Operations Component of U.S. Northern Command, and the Human Rights office of U.S. Southern Command.

DOD commanders have expressed great appreciation for the expertise of State Department POLADs. In recent years, POLADs at AFRICOM and CENTCOM provided support during the Arab Spring. In the Pacific, Foreign Policy Advisors were instrumental in coordinating the highest level visit by U.S. military leaders to Burma in 20 years, and were a key asset for military response to the aftermath of earthquakes in Japan.

Admiral William McRaven, Commander, U.S. Special Operations Command, said during a recent visit to the Department of State that the POLAD “sits at my right hand for all major decisions that have anything to do with operations downrange in other countries. The Political Advisor is a key individual to every decision I make regarding the employment of Special Operations Forces. No major decision is made without first checking with the Political Advisor.”

If confirmed, I will work to make sure the PM Bureau continues to coordinate with State and DOD leadership on this valuable program by placing the best Foreign Service Officers in DOD commands where they can add the most policy expertise and value.

Question. How would you describe the State Department’s role in security assistance under PPD–23? Do you think this role conforms to the legal responsibility conveyed upon the Secretary of State to exercise continuous supervision and general direction of military assistance? Is State encountering any resistance or noncompliance from other agencies in following State’s leadership? To your knowledge, has PPD–23 introduced any changes in the conduct of security assistance programs? Does the administration plan to ask for any additional resources to enable the State Department to conduct its coordinating role?

PPD–23 calls for informing policy with “rigorous analysis, assessments, and evaluations” and for establishing “measurable SSA objectives” and “appropriate data collection of the impacts and results of SSA programs. . . .” To your knowledge, to what extent is the PM Bureau involved in the development of standardized metrics and assessment and evaluation methodologies? What progress has been made toward developing these metrics and methodologies?

Answer. Under Presidential Policy Directive 23, signed by President Obama on April 5, 2013, the State Department’s has the lead role regarding policy, supervision, and oversight of U.S. Government security sector assistance (SSA). The PPD aligns with the Secretary’s legal responsibilities. It also provides the Secretary with more tools and authority to create greater transparency and direction in the SSA planning and implementation process.

The Department and other SSA agencies are in the process of implementing the requirements of the PPD, and PM is encouraged by the high levels of transparency and cooperation from the other agencies. If confirmed, I will strive to maintain such coordination. PM has not yet come to a final analysis of the requirements the PPD may impose and are currently undertaking implementation with existing resources.

The Department is convening a working group to develop the framework for standardized methodologies and metrics for security sector assistance writ large with the participation of PM. The PM Bureau has also begun implementation of a multiyear monitoring and evaluation strategy for the FMF program. As part of SSA implementation, PM is developing, in consultation with DOD colleagues, a process for standardized, metrics-based assessment of military capabilities. This assessment process will provide the foundations for planned program evaluations and definition of measurable SSA objectives.

Question. Why do you think it took nearly 2 years to set up a joint State-DOD Global Security Contingency Fund (GSCF) office and implement programs in seven countries? Has the GSCF reached “full operational capability?” If not, what are the obstacles to reaching that goal?

What progress has been made in implementing FY 2012 programs planned for Nigeria, the Philippines, Bangladesh, Libya, Hungary, Romania, and Slovakia? How has State-DOD cooperation worked in designing and implementing these programs?

Why are there no FY 2013-funded GSCF programs? Some observers allege that there were deserving projects but the State Department decided not to transfer funds to the GSCF because those funds were needed more urgently elsewhere. Is this true? Does the State Department contemplate funding GSCF programs in FY 2014?

Answer. If confirmed, I look forward to working with Congress to improve the efficacy of the Global Security Contingency Fund (GSCF). Properly setting up any new program takes time. GSCF requires joint State Department-Department of Defense

(DOD) formulation and funding. State and DOD have sought congressional approval for funding certain projects. It has been challenging to craft proposals that meet the concerns of both Departments and their respective congressional committees. State and DOD have worked over the past 2 years to operationalize GSCF. The Departments colocated GSCF staff, and jointly developed detailed individual program plans for execution consistent with congressional committees' and subcommittees' requirements and expectations.

The Departments created the various processes, and put together the operational frameworks for program management, including required Memoranda of Understanding to enable the Departments to exercise the authority. State and DOD also developed the metrics for, and awarded a contract for a third-party to conduct monitoring and evaluation for the overall program.

Additionally, State and DOD regularly evaluated lessons learned with the program and jointly developed proposals and offered guidance to streamline the GSCF and make it more agile and responsive. As a result, the Departments are finalizing new guidance and a revised process to exercise the authority. Consistent with section 1207(l)(3) of the National Defense Authorization Act for Fiscal Year (FY) 2012, State and DOD will notify Congress once they issue guidance and establish this revised process.

The Departments will consider the GSCF as reaching "full operational capacity" once a program has been implemented in full, and monitoring and evaluation completed.

The following is a summary of the GSCF programs/proposals to date:

- *Bangladesh (Special Operations Capacity Building)*: Congress approved this program in early August 2013. Initial implementation efforts are underway. Equipment should arrive in-country between January–March 2014, with training commencing thereafter.
- *Libya (Special Operations Capacity Building)*: Congress approved this program in early August 2013. Implementation is pending additional vetting of potential recipients and selection of an appropriate training venue.
- *Hungary, Romania, and Slovakia (Special Operations Capacity Building)*: Congress approved this program in early August 2013. Initial implementation efforts are underway. Equipment should arrive in-country between January–March 2014, with training commencing thereafter.
- *Libya (Border Security)*: Congress approved this program and approved DOD's funds transfer in early August 2013, with the exception of planned border security program activities to train and equip Libyan SOF to use tactical Unmanned Aerial Systems to identify and interdict border violations. Program implementation is pending additional vetting of potential recipients from identified ministries and selection of appropriate training venues.
- *The Philippines (Maritime Domain Awareness and Law Enforcement Counterterrorism Capacity Building)*: Congress approved this program in early October 2013. While State and DOD have engaged the Government of the Philippines on the program following congressional approval, the U.S. and Philippine governments understandably directed efforts elsewhere following the recent typhoon. The Departments anticipate resuming implementation efforts in the near term.
- *Nigeria*: The principal U.S. objective is to help the Government of Nigeria coordinate a national-level approach to mitigate the domestic and international threat posed by Boko Haram. This program is still in the planning phase to accommodate evolving conditions on the ground.

State-DOD cooperation in designing and implementing GSCF programs has been one of the most significant program achievements to date. Both Departments have an equal say in which activities are included in the individual program, and who will be the most appropriate implementer for a given activity. Doing so has also facilitated discussion between the Departments, and with Posts and Combatant Commands to ensure GSCF activities complement current and planned activities under other authorities.

In FY 2013, State and DOD determined that none of the proposed programs fit the criteria for GSCF. The proposals did not contain a sufficient level of detail, and in some cases, the Departments could fund proposed programs under other authorities with existing resources. The Departments intend to use the GSCF to meet emerging challenges and opportunities that could not be addressed under existing authorities. In some years State and DOD may need to use the entire transfer authority and in others they may not depending on global events. If confirmed, I hope to work with Congress to achieve the responsive program Congress and the administration intended.

Question. Export Control Reform Initiative (ECRI): The ECRI regulations have stated that, going forward, the sole criteria for placing a defense article or service under the stringent controls of the U.S. Munitions List will be whether such article or service conveys a “critical military or intelligence advantage to the U.S.”

- ◆ Do you have any concerns that such a single standard could transform the USML into a “Technology Export Control List,” rather than serve its current role to control the export of arms of substantial military utility that could be used to the detriment of the national security or foreign policy goals of the United States or our friends and allies?

Answer. The basis of the State Department’s export control responsibilities, as a matter of policy and as established in the Arms Export Control Act (AECA), is that U.S. foreign policy should shape defense exports; defense exports should not shape U.S. foreign policy. Export Control Reform (ECR) enhances this ethic. The President directed the ECR effort, among other reasons, because the U.S. Munitions List (USML) currently captures items that are not critical to military or intelligence applications. The export of many of these items no longer poses a threat to U.S. national interests. The revisions to the USML are designed to move munitions that have significant commercial uses and limited military or intelligence applicability to the more flexible controls available on the Commerce Control List. The USML will continue to be foreign policy tool, not merely a technology control list.

Question. How will you ensure that all licenses for export of arms that will be under the jurisdiction of the Department of Commerce will be fully vetted by your personnel before Commerce allows export? Should Commerce practices for exceptions to Strategic Trade Authorization (STA) countries be significantly reviewed as a consequence to ensure appropriate oversight of sensitive dual-use technology/systems?

Answer. The Department of State has authority to review all export license applications submitted to the Department of Commerce. In the case of items moved from the U.S. Munitions List to the Commerce Control List (CCL), the State Department will continue to review all license applications submitted to the Department of Commerce. With regard to Strategic Trade Authorization (STA) countries, STA eligibility is limited to only close allies such as NATO partners and countries whose export control regimes are closely in line with that of the United States. The Departments of State, Defense, Energy, Justice, and Homeland Security and the Intelligence Community were full partners in STA development. The administration is confident that the STA authorization will be a valuable tool in protecting U.S. national security and foreign policy interests.

Question. The USML is currently under the oversight of the Secretary of State to ensure that such exports conform to U.S. foreign policy and national security interests. A single licensing agency would presumably not be the State Department, and therefore the Secretary of State would lose this primary oversight and management role. How is that good for U.S. foreign policy and national security?

Answer. The executive branch will consult with Congress on how to structure a future Single Licensing Agency. Personnel with relevant expertise from State, Defense, and Commerce should still review export license applications for USML and CCL items. The administration should continue to bring to bear the full range of U.S. national security and foreign policy interests on licensing decisions as Export Control Reform advances.

Question. How will/has the administration’s Export Control Reform Initiative (ECRI) make the system more efficient for U.S. exporters?

Answer. The Export Control Reform Initiative (ECR) includes a number of innovations for U.S. exporters. First, ECR is bringing clarity to the regulatory language associated with the U.S. Munitions List and decreasing reliance on control mechanisms that create uncertainty for exporters—so-called “catch-all controls.” A key element of this emphasis on “plain language” is to harmonize the export control regulations administered by the State and Commerce Departments. These changes will make it easier for U.S. companies and their customers overseas to understand U.S. export regulations and to comply with them. This is not merely a streamlining of the exporting licensing process. The ambiguity of the “old” regulations has forced U.S. companies to expend time and resources seeking formal U.S. Government rulings on whether their products fall under the State or Commerce regulatory systems. These rulings are known as “Commodity Jurisdictions” at State and “Commodity Classifications” at Commerce. The improved clarity of the State and Commerce regulations, and the improved harmonization of the two systems, should

make it easier for exporters to administer their own compliance systems, and spend less time waiting for State and Commerce to issue formal regulatory rulings.

Furthermore, ECR is improving how technology is leveraged by U.S. export control agencies. Full deployment of the “USXports” computer system to the three largest U.S. export regulatory agencies—Defense, State and Commerce—will streamline the license application process. The administration expects that, over time, exporters will benefit from an improved online interface with the export licensing agencies as well.

Finally, exporters of the less sensitive items transitioning to Commerce jurisdiction may be able to utilize a new mechanism called the “Strategic Trade Authorization” (STA) license exception. The STA license exception permits transfer of certain items to countries where there is a low risk of diversion, such as NATO countries and other close allies. The STA mechanism is expected to relieve U.S. exporters of a significant licensing burden with low risk to foreign policy priorities.

Question. How does the rationalization of the two control lists advance the goal of a single unified control list? Will the reforms result in less licensing activity by DDTC? Can this be quantified?

Answer. The revisions made to the USML and the CCL, as well as the updated definitions contained in the ITAR and EAR, are intended to harmonize the lists and their associated control mechanisms. This harmonization is a prerequisite to eventually combining the lists. The administration does anticipate a decrease in license applications to the Department of State as a result of ECR. The first in a series of rule changes went into effect on October 15, so it is still too early to accurately project the size of that decrease.

RESPONSE OF MIKE HAMMER TO QUESTION
SUBMITTED BY SENATOR ROBERT MENENDEZ

Question. Chile is becoming a leader in solar energy in Latin America and several American firms have all announced large planned solar projects in the country. What can we do to build upon this success, further stimulate the solar market in Chile, and encourage American business investment?

Answer. Chile has significant solar energy potential and ranks second in the International Trade Agency’s (ITA) list of top solar export markets through 2015. In Chile, American solar and other renewable energy companies are pursuing investment opportunities and offering solutions to energy challenges. If confirmed, one of my top and immediate priorities will be to promote business opportunities that create American jobs.

I will advocate for U.S. companies, share the U.S. experience in managing renewable energy sources, and promote clean American technologies and solutions. I also plan, if confirmed, to lead U.S. Embassy Santiago’s efforts in support of U.S. companies so they are well-positioned to succeed in the Chilean energy market, including working to make sure they compete on a level playing field in Chile’s solar energy sector.

Embassy Santiago actively promotes solar energy exports to Chile. Although millions of dollars of equipment and services are already being exported from the United States to develop solar energy in Chile, the U.S. Government is pushing for more. Through combined efforts with the Department of Commerce, our Embassy organized a renewable energy trade mission in April 2013 that brought 20 U.S. companies to Chile to meet with senior Chilean officials and share best practices with the Chilean Government and private sector in order to encourage a thriving clean energy market. Efforts like these pay off as U.S. companies navigate a new export market.

If confirmed, I will support and look to expand these efforts, including by participating in the State Department’s Direct Line Program that offers U.S. companies an on-the-ground report of market conditions from the Ambassador. These calls would enable any U.S. company to reach into my office and get my attention if they are looking to promote U.S. business in Chile, including in the solar energy sector.

RESPONSE OF KEVIN WHITAKER TO QUESTION
SUBMITTED BY SENATOR ROBERT MENENDEZ

Question. Over the past decade, Colombia’s Government has committed to a series of transformational initiatives, including the Law on Victims and Land Restitution, the territorial consolidation program and the U.S.-Colombia Labor Action plan.

However, implementation has been challenging and results have not always kept pace with established goals.

- ◆ As the United States Government continues its strategically important efforts to support the Colombian Government, what additional steps can be taken to help strengthen institutional capacity in Colombia at the local and national level to implement initiatives such as the Law on Victims and Land Restitution, as well as any other initiatives that might result from a successful peace process?

A recent report by members of the House of Representatives finds that effort is still needed on the part of the United States and Colombia to make the U.S.-Colombia Action plan a reality on the ground. The report highlights that indirect employment is still a challenge, that the inspection system could be strengthened, and that protections for workers still need to be improved.

- ◆ What steps are needed in order to strengthen the implementation of the Labor Action Plan?

Afro-Colombian communities continue to be disproportionately affected by the internal armed conflict, forced displacement and human rights abuses.

- ◆ What steps can be taken to support the Colombian Government's efforts to provide the country's Afro-Colombian population with greater protections and greater access to programs under the Law on Victims and Land Restitution?

Answer. Colombia continues to make progress on human rights and labor issues, but significant challenges remain, including attacks against and killing of human rights defenders and labor activists, continued forced displacement, threats against those who return to their lands, and slow progress in combating impunity.

The United States and Colombia maintain a frank dialogue at the national and municipal levels, and with local and international NGOs and labor organizations to identify issues and to improve conditions. U.S. programs support the development of rule of law, human rights, capacity for municipal governments, and victim assistance initiatives by the Government of Colombia.

Through Economic Support Funds, the United States promotes economic prosperity through the licit economy, improving living conditions for Colombia's most vulnerable groups, and promotes respect for human rights and strengthens the rule of law. USAID also supports Colombian efforts to transition out of conflict and to establish conditions for sustainable peace. This includes more than \$60 million for an Afro-Colombian and Indigenous Program, intended to assist these communities, which have been disproportionately affected by the conflict and other factors. The United States continues its collaboration within the areas of rural development and land restitution, key concerns at the heart of the Colombia's ongoing conflict. USAID announced \$68 million in support of Colombian efforts to: (1) restore land to victims of conflict; (2) issue land titles; and (3) generate opportunities for viable rural livelihoods for small farmers. In addition, USAID will help expand the coverage of legal protection of land rights, especially those of small farmers, by strengthening the Colombian Government's land titling efforts. USAID also maintains other programs intended to help build the capacity of civil society and the Colombian Government to improve respect for human rights; expand access to justice; and to strengthen electoral institutions and labor unions. The question of support for Disarmament, Demobilization and Reintegration (DDR) will occur in the event a peace accord is achieved. The United States has experience in Colombia in this area, having provided more than \$144 million between 2006 and 2014 to support reintegration of ex-combatants, including child soldiers. If confirmed, I would propose to quickly establish a strong dialogue with Congress on how best we could support DDR and other activities attendant to an eventual possible peace accord. Another area worth considering in this regard is the possibility of international organization involvement, and U.S. support for such initiatives. Additionally, the State Department provides emergency humanitarian assistance for internally displaced people in Colombia and Colombian refugees in neighboring countries, including \$36 million this year.

We are committed to full implementation of the Colombia Labor Action Plan, and continue to work intensively with Colombia to achieve this goal. President Obama raised labor as a priority issue with President Santos during his official visit to Washington the first week of December. Colombian Minister of Labor Pardo participated in the meeting between our Presidents, and also met separately with Secretary of Labor Perez to discuss areas for continued focus and collaboration. Our Department of Labor and USTR maintain a fluid dialogue with the Ministry of Labor and with all stakeholders on Action Plan issues and compliance.

The United States, through the Department of Labor, will continue its support of a grant to the International Labor Organization (ILO) presence in Colombia to train inspectors in areas of the Labor Action Plan. As part of the plan, the Government of Colombia committed to doubling its labor inspectorate by hiring 480 new inspectors by 2014. As of September 2013, there were 634 inspector positions total, 546 of which were filled. Training these inspectors is an integral part of implementing Colombia's new labor laws, which support the goals of the Labor Action Plan. As noted, USTR and the Department of Labor continue to engage with the Ministry of Labor in regular technical meetings regarding the collection of fines issued by labor inspectors, among other issues.

If confirmed, I will engage our Colombian partners to ensure we address the full range of labor rights issues covered under the plan. Indeed, as I noted in the December 11 hearing, if confirmed I would commit to make this a matter of regular and routine discourse with the highest levels of the Colombian Government so that they understand our position and expectations. Colombia needs to do a better job at collecting fines imposed for labor violations, undertaking targeted inspections in the five priority sectors (palm oil, sugar, mines, ports, and flowers), and halting abusive third party contracting. With respect to violence and threats against labor activists, I share your concerns that even one murder of a unionist is one too many. We regularly raise these concerns at all levels of the Colombian Government, in Washington and in Bogota. A part of the ILO grant is dedicated to training judicial investigators and prosecutors on labor rights and strengthening their abilities to investigate these murders and threats.

Women and members of both Afro-Colombian and indigenous communities are disproportionately affected by violence, poverty, forced displacement, landmines, sexual violence, forced recruitment, and discrimination. Colombia is recognizing past human rights violations and affirming the right of victims to truth, justice, and reparation. These positive steps are necessary if Colombia is to achieve sustainable peace and reconciliation. Again, as I indicated in the December 11 hearing, if confirmed, I will seek to identify additional ways we can help address their needs, in cooperation with Colombia counterparts. One of the mechanisms which we can use is the U.S.-Colombia Action Plan on Racial and Ethnic Equality (CAPREE) process, an innovative approach conceived by the Bureau of Western Hemisphere Affairs to systematize collaboration and sharing best practices to address the needs of racial and ethnic minorities. I would continue our collaboration with Colombia in supporting economic development, educational opportunities, and addressing barriers to inclusion for indigenous and afro-descendent communities in both the United States and Colombia. It is important to continue support for educational and development programs for these communities through the State Department and USAID.

The Race, Ethnicity, and Social Inclusion Unit (RESIU) within the State Department helps us carry out and maintain focus on our bilateral and regional dialogue with partners in the Western Hemisphere on issues impacting Afro-descendants and indigenous communities.

RESPONSES OF BRUCE HEYMAN TO QUESTIONS
SUBMITTED BY SENATOR ROBERT MENENDEZ

Question. January 1, 2014 marks the 20th anniversary of NAFTA. Over the past two decades, tremendous efforts have been taken to promote the interchange of goods, services, people, and investment across the three countries of North America. Today, Canada is our most important trade partner in terms of both exports and imports.

- ◆ Although the countries of North America have recently turned to Asia and Europe for the next generation of trade deals, what is the assessment of the future of North American integration? What steps can be taken to promote the further integration of the three countries?

Answer. The groundbreaking North American Free Trade Agreement (NAFTA) created the world's largest free trade area. Its adoption and implementation have represented huge steps toward shared prosperity. NAFTA helped create new markets and opportunities in all three countries and enabled the United States and Canada to deepen and develop further the world's largest and most comprehensive trade relationship. The administration is negotiating a next-generation trade agreement, the Trans-Pacific Partnership (TPP), which includes NAFTA partners Canada and Mexico. The TPP would serve as the foundation for an expanded regional trading and investment market and its adoption would represent our best opportunity to adopt a comprehensive strategy—one that would benefit the citizens of the United States—to integrate further the combined economic output of the United

States, Canada, and Mexico. In addition, the three countries continue to expand cooperation on regulatory regimes, cross-border trade facilitation, and agriculture, health, environment, and security issues. Mexico will host the next North American Leaders' summit in February 2014, where President Obama and his counterparts will discuss many of these issues. If confirmed, I look forward to supporting U.S. efforts in strengthening our North American ties to make us more prosperous and secure.

Question. In February 2011, the United States and Canada signed the Beyond the Border declaration describing their shared visions for a common approach to perimeter security and economic competitiveness. The declaration commits both nations to negotiate on information-sharing and joint threat assessments to develop a common and early understanding of the threat environment; infrastructure investment to accommodate continued growth in legal commercial and passenger traffic; integrated cross-border law enforcement operations; and integrated steps to strengthen shared cyber-infrastructure.

◆ What is the current assessment of the Beyond the Border initiative and what steps can be taken to further advance its progress?

Answer. I understand that a tremendous amount of border management cooperation occurs under the auspices of the Beyond the Border initiative. If confirmed, I will work with Canadian and U.S. agencies to ensure that we continue to improve border security and facilitate trade. One accomplishment of the Beyond the Border initiative is the entry/exit project, through which the United States and Canada exchange information on third country nationals who cross our shared land border, such that a record of an entry into one country could be considered a record of an exit from the other. Another example is the NEXUS program, which expedites travel for low-risk, preapproved travelers between the United States and Canada. The program continues to expand and now allows NEXUS members to participate in the TSA precheck program. If confirmed, I will support this initiative and work with Canada to look for additional opportunities to facilitate citizen travel, such as upgrading border infrastructure.

RESPONSES OF CATHERINE ANN NOVELLI TO QUESTIONS
SUBMITTED BY SENATOR BOB CORKER

Question. The United States and the European Union will soon enter a third round of discussions on Transatlantic Trade and Investment Partnership (TTIP). The TTIP negotiations provide a great opportunity for the United States to address a number of unresolved issues, including protecting U.S. innovation and intellectual property protection in pharmaceuticals. Some in U.S. industry have expressed concerns over inadequate protection of confidential commercial information submitted for the purposes of marketing approval to EU authorities, specifically the European Medicines Agency.

◆ Do you share these concerns? If so, what steps do you plan to engage with the EU such that these concerns are adequately addressed?

Answer. I understand and share U.S. stakeholder concerns regarding data protection, and if confirmed, I will work diligently to ensure U.S. commercial information is afforded adequate protection. If confirmed, I will also work to ensure the effective protection and enforcement of all U.S. intellectual property and property rights, including intellectual property associated with pharmaceuticals.

I know that the United States is closely monitoring this situation, including in the context of the TTIP negotiations. If confirmed, I will also continue to engage actively with the EU on this issue.

Question. In May of this year, this committee held a hearing on Europe and the economy. As you would expect, the issue of the Transatlantic Trade and Investment Partnership was discussed, including the issues of regulatory convergence generally and the inclusion of financial services regulatory cooperation specifically. In that hearing Under Secretary of State Hormats stated that the administration's position was that all issues would be on the table in the TTIP—that nothing would be excluded. Subsequently, however, Treasury Under Secretary Brainard then offered that financial services regulatory issues would be excluded from TTIP and would be reserved for existing dialogues.

◆ Does the administration support the full inclusion of financial services regulatory cooperation in the TTIP agreement? If not, why not? If we agree to exclude this issue from TTIP, what is the risk that the EU will seek to exclude sectors that are important to us?

Answer. Financial services are a critical component of the transatlantic relationship. I understand that in the TTIP, as in all our trade agreements, the administration will continue to seek to ensure that U.S. financial services firms enjoy nondiscriminatory market access and the full range of investor protections.

It is my understanding that since the financial crisis, Treasury and our financial regulators have been actively engaged on a range of financial regulatory issues. There is an active, ongoing agenda with ambitious deadlines on regulatory and prudential cooperation in the financial sector—both multilaterally in the G20 and Financial Stability Board, bilaterally under the Financial Markets Regulatory Dialogue, and in international standards setting bodies such as the Basel Committee on Banking Supervision and the International Organization of Securities Commissions. This work will continue in parallel alongside TTIP. I also understand that administration officials have made clear that it will not weaken financial regulations through our trade agreements.

RESPONSES OF TINA S. K Aidanow TO QUESTIONS
SUBMITTED BY SENATOR BOB CORKER

Question. How would you describe the operational capability of al-Qaeda? How would you describe its organizational structure? How has the operational capability of al-Qaeda and its organizational structure changed over the past decade?

Answer. Al-Qaeda (AQ) remains fundamentally a hierarchical organization, although with the death in 2011 of Usama bin Laden, and persistent counterterrorism pressure against its core elements in South Asia, the AQ core has been significantly degraded. However, Ayman al-Zawahiri remains the recognized ideological leader of a jihadist movement that includes AQ-affiliated and allied groups worldwide that continues to pose a terrorist threat to the United States.

The AQ threat has become more geographically diverse, with much of the organization's activity devolving to its affiliates around the world, which are increasingly setting their own goals and specifying their own targets. As avenues previously open to these and other violent extremist organizations for receiving and sending funds have become more difficult to access, several groups have engaged in kidnapping for ransom and other criminal activities, and thus have also increased their financial independence.

The August threat to our Embassies underscored AQ's operational capability on the local level and demonstrated the ability of AQ-affiliates and inspired groups to plot and conduct attacks locally and to plot more modest attacks against the U.S. homeland and U.S. interests. Among AQ affiliates, Al Qaeda in the Arabian Peninsula (AQAP) has shown itself to be AQ's most dangerous affiliate and established itself as the first AQ affiliate with the determination and capability of striking the United States, as we saw on December 25, 2009, when it attempted to destroy an airliner bound for Detroit, and again the following year, with a plot to destroy several U.S.-bound airplanes with bombs timed to detonate in the cargo holds.

AQ-affiliated groups in Syria are a growing concern, especially al-Nusra Front (ANF) and Al Qaeda in Iraq (AQI), now known as the Islamic State of Iraq and the Levant (ISIL). The conflict in Syria is attracting thousands of fighters from around the world, some of whom are joining violent extremist groups, including ANF and AQI/ISIL. AQI/ISIL is the strongest it has been since its peak in 2006, and it has exploited the security environments in Iraq and the conflict in Syria to significantly increase the pace and complexity of its attacks.

In the short term, we must maintain the pressure on AQ and its affiliates to disrupt their operations and bring terrorists to justice within a framework that respects human rights and the rule of law. In the long term, the President made it clear that we need to do more to counter the social, economic, and political drivers of violent extremism that fuel terrorist recruitment and also build the capacity of our partners to address terrorist threats within their borders and regions.

Question. How has the terrorist threat inside Syria evolved over the past 2 years and what has driven that evolution? What are the long-term, regional and global risks of the unprecedented level of foreign fighters in Syria and what steps can the U.S. Government take to mitigate those risks?

Answer. The prolonged instability in Syria has allowed for the steadily increasing insertion of al-Qaeda affiliates, Shia militants, and other terrorist fighters into the Syrian battlefield. Syria's long and increasingly porous borders remain areas where these groups continue to facilitate the movement of people and materiel to support operational activity. In addition, these groups have also been able to utilize various

means of strategic messaging in their efforts to recruit additional fighters from within and outside of Syria.

Over the long term, an increasing presence of foreign fighters within Syria poses a grave threat to regional and global stability. We are aware of these potential consequences due to the considerable number of foreign fighters who traveled to Iraq over the past decade. First and foremost, we are concerned with the ability of foreign fighters to gain considerable battlefield and other operational experience while in Syria, and the relationships they may develop with larger terrorist organizations while there. This poses a considerable threat to Syria's longer term stability and related ability to stabilize and transition to a more open and inclusive system post-Assad. Second, this long-term ability to operate within Syria can provide these groups the ability for possible external planning, either within the region or against U.S. or other Western targets. The potential for either of these eventualities is a focus of our current mitigation efforts. The interagency is currently working with partners in the region and in Europe to mitigate the threats posed by foreign fighter travel. These efforts include developing options for closer cooperation on law enforcement and border security, efforts to increase information sharing on known foreign fighters and suspect travelers, and developing and sharing best practices on public messaging to counter the potential recruitment of fighters.

RESPONSES OF PUNEET TALWAR TO QUESTIONS
SUBMITTED BY SENATOR BOB CORKER

Question. This administration has sought to provide significant military capability throughout the Middle East through foreign military sales. How does this more robust capability advance U.S. national security interests and still maintain the qualitative military edge of Israel within the region?

Answer. The administration has sought to enhance security cooperation with and between U.S. partners in the Middle East as one of its fundamental goals for the region. The United States is engaged in extensive efforts to ensure its partners have credible military capabilities to respond to potential regional threats. An essential part of this approach is providing our partners access when appropriate to military technologies critical to their national defense. These sales will also allow U.S. security partners to bear a greater share of the burden for regional security.

Enhancing the capabilities of our Arab partners does not come at the expense of Israel's security. Israel remains, by a significant margin, the leading recipient of foreign military financing and the Israel Defense Forces enjoy privileged access to the most advanced U.S. military equipment, such as the F-35 Joint Strike Fighter and the V-22 Osprey. If confirmed, I will continue to prioritize the PM Bureau's efforts to strengthen security cooperation with Israel and safeguard its qualitative military edge (QME).

Question. Countries emerging from conflict, such as Iraq and Libya, may demonstrate great need in modernizing their military forces and aligning their capabilities with U.S. security interests. Under what circumstances should we export U.S. defense technology or provide other security assistance to such countries when we have significant policy disputes?

Answer. All decisions to provide U.S. defense equipment or security assistance are based on advancing and protecting the national security interests of the United States in accordance with the Conventional Arms Transfer Policy. In the case of Iraq and Libya, it is in the direct interest of the United States for these countries to professionalize and modernize their armed forces.

The United States should be engaged in Libya at this critical time in the country's transition to support the Libyan people. Violent extremist groups will seek to exploit any instability in Libya. U.S. security cooperation can prevent violent extremists from gaining ground in North Africa.

If confirmed, I will continue to advocate for U.S. interests in Iraq and the region, including the development of a strong, capable Iraqi Security Forces. The primary objective of U.S. foreign policy in Iraq is the development of a long-term and enduring strategic partnership between the United States and a stable, sovereign, self-reliant Iraq that contributes to peace and security in the region. Bolstering Iraq's ability to defend its air space and protect its borders will contribute to stability and security in the region. Iraq seeks the foundational defense systems necessary for this effort. These systems will build long-term ties between Iraq and its suppliers. The U.S. Government should continue to provide Iraq the equipment, training, and support necessary to build its defense capabilities and support its ongoing fight against al-Qaeda in Iraq and other terrorist elements.

U.S. security assistance is critical to Iraq's security and supports the continued development and professionalization of the Iraqi military. The Department's Foreign Military Sales and Foreign Military Financing programs bolster this defense relationship, promote U.S. security interests, and help ensure the United States is a key strategic partner for Iraq over the long term.

Question. UAV Export Policy.—More than 2 years have passed since the Italian Government requested a license to purchase missiles and other requirements for arming the predator unmanned systems. Since that time, the administration's inter-agency policymaking process has been engaged in building a policy that will clarify when, to whom, and under what conditions the United States may consider exporting systems controlled under the Missile Technology Control Regime categories 1 and 2, particularly armed systems.

◆ What is the status of the development of such a policy? What is the current timeline for completing this policy?

Answer. I have not been involved in this process in my current capacity, but I understand that the Departments of State and Defense have been diligently working on a UAV export policy for some time. The PM Bureau has played a key role in this process. If confirmed, I will make sure the PM Bureau briefs Congress on the outcome of the review as soon as it is available. The administration understands the importance and sensitivity of the issue, and PM looks forward to continuing to work closely with you, your staff, and your colleagues on this issue in the coming months.

Question. Export Control Reform Initiative.—While much work has already been completed toward harmonizing the export control lists of State and Commerce, the majority of the lists have yet to go to final publication in the Federal Registry. How will you play a role in the critical stage between preliminary and final publication to ensure that we maintain appropriate protections on those items deemed necessary to security while ensuring that the reform initiative truly makes the licensing process more transparent and predictable for U.S. businesses?

Answer. If confirmed, implementing Export Control Reform will be a top priority. Proposed rules are the product of careful interagency deliberation and public comment on those rules is an essential part of the process. PM's Directorate of Defense Trade Controls is the lead element in this effort and I will support them in ensuring that the input of government and public stakeholders will continue to be used to develop effective final rules which retain control on the U.S. Munitions List (USML) of those items that have critical military and intelligence applications, and which generally have limited foreign availability and commercial use.

The Directorate will continue its outreach efforts to the defense export industry to ensure understanding of and compliance with the new regulations. New information technologies also will make the export licensing process more transparent and predictable. Full deployment of the USXports system to the three largest U.S. export regulatory agencies in the coming year will streamline the processes through which license applications are handled, and in time, exporters will benefit from a single on-line interface with all export licensing agencies.

RESPONSE OF MIKE A. HAMMER TO QUESTION
SUBMITTED BY SENATOR BOB CORKER

Question. One aspect of the U.S. health care delivery that has continued to trouble me is that U.S. consumers pay more for their pharmaceuticals and medical devices than other developed countries. Because developed countries continue to set their prices below competitive levels, it forces our consumers to shoulder more than their fair share of the global research and development burden. Another trend among developed countries that only exacerbates this problem is the weakening of intellectual property protections amongst our trading partners. Of the 40 countries on USTR's watch list for 2013, 23 are listed because of their weak pharmaceutical IP protections; these include many U.S. trading partners. The administration is currently in negotiations on two multilateral trade agreements and I believe it is crucial that strong IP protections be included to ensure developed countries shoulder their share of this global burden.

Chile was once again listed on the USTR's priority watch list in 2013. Of primary concern is that Chile has yet to pass legislation or implement regulations that would fulfill their free trade agreement obligations regarding patent enforcement. Although the FTA was signed in 2003 and became enforceable in 2004, Chile has yet to put in place a system that will effectively satisfy their current obligations.

♦ Mr. Hammer, if confirmed, how do you intend to address this issue and work to ensure Chile fulfills its FTA obligations?

Answer. American ingenuity and innovation are key to propelling the United States economy, particularly in the fields of medicine, technology, and culture. This is possible because of our country's respect for and enforcement of intellectual property rights. If confirmed, I will make intellectual property rights enforcement a priority and will work with all levels of the Chilean Government to strengthen its enforcement capabilities. I intend to marshal the resources of U.S. Government agencies such as Office of the U.S. Trade Representative, Department of Commerce—including the U.S. Patent and Trademark Office—to encourage the Government of Chile to comply with its intellectual property obligations under our bilateral free trade agreement.

I will mobilize the private sector and business organizations such as the American Chamber of Commerce, and use the Embassy's public-diplomacy programs to impress upon Chileans the importance of intellectual property rights. I will raise awareness of intellectual property issues among Chilean opinion-leaders and government officials.

Chile is positioning itself to be a hub for entrepreneurship through initiatives like Start Up Chile which looks to attract world-class businesses with innovative ideas. Chile needs a strong intellectual property rights protection and enforcement regime if it hopes to build an economy based more on knowledge, and less on commodities.

Chile should bolster its pharmaceutical patent regime and ensure protection to intellectual property rights holders in the digital arena. It has made significant strides in recent years, but must continue to make progress in order to implement and become fully compliant with its multilateral and bilateral commitments.

In response to U.S. Government outreach, we have seen Chile take positive steps in recent years. It created the National Institute for Industrial Property to oversee industrial property registration and protection, took law enforcement actions against the sale of counterfeit and pirated products, and fostered constructive cooperation between rights holders and enforcement officials.

RESPONSE OF KEVIN WHITAKER TO QUESTION
SUBMITTED BY SENATOR BOB CORKER

Question. In the U.S. health care system there is a differential between what U.S. consumers pay for their pharmaceuticals and what other developed countries and U.S. trading partners pay. This differential is only exacerbated by a recent trend where our trading partners are weakening their intellectual property protections. Of the 40 countries on USTR's watch list for 2013, 23 are listed because of their weak pharmaceutical IP protections; many of these are U.S. trading partners. The administration is currently in negotiations on two multilateral trade agreements and I believe it is crucial that strong IP protections be included to ensure developed countries shoulder their share of this global burden.

Colombia has been listed in the USTR's watch list for 2013. Over the past year in Colombia we have seen the environment for innovation significantly deteriorate. The Colombian Government has imposed price controls, proposed discriminatory burdens on patent applicants and drafted regulations for approval of follow-on biologics that do not meet international standards.

♦ Mr. Whitaker, if confirmed as ambassador to Colombia, what will you do to ensure that this trend is reversed?

Answer. Promoting protection of intellectual property rights (IPR) would be a priority for me, if confirmed. I would work to encourage the Colombian Government to develop regulations and policies that create a business environment that strongly supports innovation and creativity. The United States is already closely following developments in biologics regulation, working in cooperation with stakeholders and like-minded governments. We have also expressed our concerns before international organizations, such as relevant World Trade Organization Committees and during the OECD Trade Committee's review of Colombia on November 6.

Colombia's President Santos has identified innovation as a priority for his government. A strong IPR system is essential to that effort. I look forward to the opportunity, if confirmed, to support Colombia's efforts to build an IPR system that promotes the rights of innovators and creators, the quality and safety of products, and fosters a strong business environment for the benefit of both of our countries.

RESPONSE OF BRUCE HEYMAN TO QUESTION
SUBMITTED BY SENATOR BOB CORKER

Question. One aspect of the U.S. health care delivery that has continued to trouble me is that U.S. consumers pay more for their pharmaceuticals and medical devices than other developed countries. Because developed countries continue to set their prices below competitive levels, it forces our consumers to shoulder more than their fair share of the global research and development burden. Another trend among developed countries that only exacerbates this problem is the weakening of intellectual property protections amongst our trading partners. Of the 40 countries on USTR's watch list for 2013, 23 are listed because of their weak pharmaceutical IP protections; these include many U.S. trading partners. The administration is currently in negotiations on two multilateral trade agreements and I believe it is crucial that strong IP protections be included to ensure developed countries shoulder their share of this global burden.

Canada has been on USTR's watch list for the last several years. One concern that has been continuously raised is Canada's imposition of a heightened "usefulness" test for IP challenges that is substantially different from the one required under their TRIPS and NAFTA obligations. This has allowed Canadian drug manufacturers to invalidate patents for established medications that had already been found "safe and effective" by their health regulator, Health Canada. When high-income, developed countries are finding new ways to evade their share of the global research and development burden, our government needs to act to protect U.S. consumers who ultimately get stuck with the bill.

♦ Mr. Heyman, if confirmed, can you discuss how you plan to work to strengthen U.S. patent protections in Canada?

Answer. Protection for intellectual property rights is the foundation of success for American business, as well as small inventors and creators. Intellectual property rights protection fosters and promotes investment in innovation and creativity that is so important to our economic well-being and global competitiveness. More specifically, it is important that all trading partners respect and properly apply internationally accepted criteria for obtaining a patent, including the utility standard.

If confirmed, I will raise the issue of strong patent protection with key Canadian Government interlocutors who can effect change on this issue. As soon as I arrive, I will raise the issue in my introductory calls and will continue to press officials until we see progress. I will seek to persuade Canadian authorities that effective patent protection is in our mutual economic interest and is essential for further innovation and investment. I will engage with concerned business stakeholders and will look to Washington agencies and interested stakeholders for their input.

RESPONSES OF PUNEET TALWAR TO QUESTIONS
SUBMITTED BY SENATOR MARCO RUBIO

Question. How many times since 2009 have you been in direct bilateral contact, either in person or over the phone, with Iranian officials?

Answer. On four occasions since 2009, I joined meetings between the U.S. and Iranian Permanent Representatives to the United Nations in which letters were exchanged between the President and Iranian leaders. I joined meetings on the margins of P5+1 talks with Deputy Secretary Bill Burns and Under Secretary Sherman and Iranian officials. I was part of five meetings in Oman. These meetings were initially focused on establishing whether we could have a channel for bilateral communications, facilitated by the Omanis, on the nuclear issue. After the election of Iranian President Rouhani these talks included the development of substantive ideas for P5+1 negotiations. I also had direct contact with the Iranians on the margins of the 2013 U.N. General Assembly for the same purpose.

Question. What Iranian officials did you talk to or meet with as part of the so-called "backchannel" effort?

Answer. I was a part of a team that conducted discussions with senior Iranian Foreign Ministry officials responsible for nuclear negotiations.

Question. In your exchanges with these officials, what issues other than Iran's nuclear program did you discuss?

Answer. These negotiations focused exclusively on Iran's nuclear program because they were connected to the P5+1 process, which is limited to the nuclear issue. However, senior administration officials have raised our concerns about American citi-

zens detained or missing in Iran on the margins of P5+1 talks as did the President directly with President Rouhani in late September during their phone conversation.

Question. You said during your testimony in front of the committee that you and other U.S. officials did not raise Iran's human rights record or its ongoing support for terrorism as part of this backchannel process. Why were these topics not raised?

Answer. Direct bilateral talks were connected to the P5+1 process, which focused exclusively on the nuclear issue. However, the administration remains extremely concerned about the Iranian Government's human rights abuses and its attempts to use terrorism—both directly and through its numerous proxies—to promote instability in the region and around the world. The administration has sought to address these concerns in other ways, including by imposing sanctions on those facilitating human rights abuses and supporting terrorism, as well as by working with partners to counter Iran's support for these destabilizing activities. President Obama has made clear we will continue to do so, even as we seek an agreement to prevent Iran from acquiring a nuclear weapon. Regarding Iran's human rights record, senior administration officials have raised our concerns about American citizens detained or missing in Iran on the margins of P5+1 deliberations as did the President directly with President Rouhani in late September.

Question. Given the fact that you participated in these discussions with what is, according to the State Department, the world's foremost state sponsor of terrorism, and you and your colleagues in the administration apparently failed to brief any member of Congress about these talks, why should we take seriously your pledge to work with the committee on other sensitive issues confronting our Nation?

Answer. I spent over 15 years working in the Congress before joining the administration—including more than 10 years as a professional staff member for the Senate Foreign Relations Committee as chief advisor on the Middle East for then-Chairman Biden. I have a deep respect for Congress' role in setting and implementing our foreign policy agenda and believe in a strong partnership between the committee and the State Department. If confirmed, I am committed to consulting with the committee on the full range of issues covered by the Political-Military Bureau.

RESPONSES OF KEVIN WHITAKER TO QUESTIONS
SUBMITTED BY SENATOR MARCO RUBIO

Question. What is the strength of the FARC and what are their main goals today?

Answer. Over the past 50 years, the FARC transitioned from an ideology-based movement into one of the most dangerous and extensive transnational criminal and terrorist organizations in the hemisphere. Today's FARC works to extend its territorial, political, and financial control over Colombian regions using all manner of illicit activities—illegal mining, extortion, narcotics sales, and kidnapping—to fund its activities.

As a result of Colombia's successful military campaigns against the FARC, significantly aided by U.S. assistance, advice, and intelligence support, the FARC has been on a steady decline in terms of numbers of guerrilla fighters and territory where it has influence. Total direct military strength is estimated at this point to have fallen to approximately 8,000, compared to nearly 20,000 in 2003. The FARC's shrinking military size and capabilities, as well as its profound unpopularity with the great majority of Colombians, are among the factors that pushed the FARC to the negotiating table. That said, the FARC remains a dangerous terrorist organization that continues to organize deadly attacks against Colombian security forces, civilians, and infrastructure.

Question. What percentage of the FARC do we believe to be irreconcilable?

Answer. It is difficult to predict at this moment the numbers of FARC who would refuse to adhere to the conditions established in an eventual peace treaty. FARC negotiators insist that they speak for the entire terrorist group, and that the group maintains its military discipline, and that therefore and that the entire structure would comply with the requirements of a peace accord. Based on history of previous demobilizations, the attractiveness and financial rewards of the criminal activities that the FARC now engages in, and other factors, it is reasonable to assume that some FARC guerrillas would continue those activities even if peace is achieved.

Question. What would a peace agreement mean for U.S. support of Colombian operations against the FARC and other narcoterrorist organizations operating in and around Colombia?

Answer. The United States and Colombia remain committed to combating the FARC, the ELN, and other terrorist groups in the region. Our ultimate aim will remain ensuring Colombia is able to eradicate narcotics crops and stop other illicit enterprises, in order to achieve the peace, security, and justice that Colombia has earned. As in any such case, our ability to continue our support will depend on the presence of legal authorities and financial support to do so. We will continue to work closely with Congress to seek the resources necessary to accomplish the job. As Attorney General Holder said on his visit to Colombia, our nations have “displayed a shared commitment—and dedication—to building on the progress that our respective countries have made possible in recent years, particularly when it comes to protecting our citizens from violence and harm and combating transnational organized crime.”

Question. Colombia remains the world’s No. 2 producer and exporter of cocaine, and the No. 1 to the U.S. Plan Colombia has been by all accounts a successful program. In the event of a peace agreement, how will U.S. policy change and what will U.S. policy be to counter remaining narcoterrorist elements and other illicit traffickers operation in and around Colombia?

Answer. Should the Government of Colombia and the FARC reach a peace agreement, we would not anticipate changing our policy with respect to continuing to support our Colombian partners’ ongoing and effective actions to confront narcotics trafficking and terrorism. The United States will continue to promote counternarcotics cooperation in Colombia and the region.

If confirmed, I will lead U.S. country team efforts as we seek further to attack and dismantle transnational and organized crime structures, including the trafficking of drugs and weapons, and associated violence, and strengthen Colombian institutions, in coordination with our Colombian partners. Our ongoing efforts in Colombia, with more than \$8.5 billion under Plan Colombia and its follow-on programs, support interdiction and eradication, the rule of law, human rights, law enforcement training, and demand reduction. Notable achievements include a 53-percent reduction in coca cultivation between 2007 and 2012, and a 63-percent drop on pure cocaine production potential, from 470 metric tons (MT) to 175 MT, over the same time period. Coca cultivation is at its lowest level since 1996. Major crimes such as kidnapping and homicide were also down 89 percent and 48 percent, respectively, from 2002 to 2012.

In addition, through the U.S.-Colombia Action Plan on Regional Security Cooperation, we are joining forces with the Colombians to implement capacity-building activities for security personnel in Central America and the Caribbean. We began with 39 activities in 2013 and will increase our cooperation to 152 activities in 2014.

Question. According to the United States Government, the vast majority of illicit air traffic of Colombian-produced narcotics emanates from Venezuela. If confirmed, how do you plan to work with our Colombian partners to address this cross-border issue between Colombia and Venezuela and national security threat to Honduras and the United States?

Answer. U.S. Government estimates indicate that approximately 20 percent of Colombia’s narcotics production is shipped out of the region by air, and the majority of that departs from Venezuela. Colombian law enforcement authorities have on some occasions been able to collaborate with the Venezuelan Government on issues related to counternarcotics, but the Venezuelan Government’s refusal to work consistently and systematically with U.S. authorities on this matter represents a significant barrier to a more comprehensive and effective approach. While there are clear indications of isolated and episodic cooperation with the United States, a sustained and broad effort is missing because of the lack of Venezuelan political will to do so.

If confirmed, I will continue to urge Colombia to find mechanisms to work with Venezuelan authorities, where possible, to address this issue most effectively.

The United States, Colombia, and other nations in the region work collaboratively on a broad radar detection effort in the Caribbean, dedicated to finding and, if possible, to interdicting such traffic. These efforts have helped develop an increasingly detailed picture of illicit flights outbound from Venezuela, which will be useful for planning purposes going forward.

Question. Will the administration support a peace agreement with the FARC that fails to verifiably end FARC members’ involvement in transnational criminal activities or does not hold fully accountable FARC members accused of kidnapping, murder, or committing crimes against humanity?

Answer. The Santos administration has made clear that the end state they seek through the peace talks is an agreement that ends the FARC’s criminal activities

and results in a definitive disarmament of that group. With respect to accountability, the Santos administration has outlined a transitional justice agenda as part of the path to peace, and has made clear that crimes against humanity and serious violations of international humanitarian law must be identified and judicial action taken to hold those most responsible to account. President Santos has said that his notion is not to sacrifice justice for peace, but rather to achieve peace with the maximum amount of justice. Consistent with the government's insistence that nothing is agreed to until everything is agreed to, the outlines of any provision for transitional justice in an eventual peace agreement are not yet clear.

We believe that accountability for human rights abuses and humanitarian law violations is essential to achieving a durable peace, and that this peace negotiation is an important and timely effort to achieve these results. As Secretary Kerry noted during his visit to Colombia, "the Santos administration has undertaken a very courageous and very necessary and very imaginative effort to seek a political solution to one of the world's longest conflicts, and any negotiation that can help to strengthen Colombia's democracy, that promotes respect for rule of law and human rights, and achieves an enduring peace that the people of Colombia can share in, is a welcome development, and the United States of America will support that peace." These are, first and foremost, decisions for the Colombians and their government to make about their future. A peace that fails to hold the FARC accountable is unlikely to satisfy the Colombian Government or people. We have called on Colombia to ensure that any peace agreement adheres to Colombia's domestic and international legal obligations.

Question. In the event of a peace agreement, will there be changes in Colombia's counternarcotics and extradition policies?

Answer. As we have previously stated, we welcome and support the efforts by President Santos and the Colombian people to pursue the lasting peace Colombia deserves. Our relationship transcends long-term security and counternarcotics cooperation. Colombia has been consolidating gains internally and leading the region, and helping its neighbors who face similar challenges.

We look forward to continued cooperation on counternarcotics and extradition, and if confirmed, I will actively support these critically important efforts. According to U.S. Government estimates, the land used for coca cultivation decreased by 53 percent from 167,000 hectares in 2007 to 78,000 hectares in 2012—the smallest area under cultivation since 1996. U.S. Government estimates indicate that there has been a 63-percent drop in cocaine production potential in Colombia since 2007, from an estimated 470 metric tons in 2007 to 175 metric tons in 2012. It is precisely Colombia's successful counternarcotics campaign that has helped set the stage for the peace process by undercutting funding for the FARC.

With respect to extraditions, as I noted in the December 11 hearing, we will continue to seek access to individuals who are wanted to stand trial in the United States for very serious crimes. If confirmed as Ambassador, I will work diligently with appropriate U.S. and Colombian authorities to ensure that our bilateral law enforcement relationship, including with respect to extradition, remains strong.

Question. Will you seek assurances that Colombian authorities comply with any extradition requests for FARC members indicted in the United States?

Answer. If confirmed, I will vigorously support our ongoing efforts, coordinated through the Departments of State and Justice, to ensure individuals indicted in the United States are extradited. This relationship has been remarkably effective and productive over time, with more than 1,500 individuals extradited to the United States over the last 15 years.

Question. In the event of a peace agreement, will there be any changes to U.S. policy with regards to the FARC?

Answer. The FARC was designated as a Foreign Terrorist Organization on October 8, 1997, and will remain a designated FTO until that designation is revoked by the Secretary of State based on the criteria identified by law.

Question. Is the administration considering, or will consider, changes to U.S. policy on Cuba in the event of a peace agreement? Please explain.

Answer. There is no connection between an eventual possible peace agreement and U.S. policy toward Cuba.

The President and his administration remain committed to policies that support the Cuban people's desire to freely determine their future, that reduces their dependence on the Cuban state, and that advance U.S. national interests. In his November 18 speech at the OAS, Secretary Kerry echoed President Obama's message that the U.S. Government is open to forging a new relationship with Cuba,

while calling on the Cuban Government to respect the rights of its citizens to speak without fear of arrest or violence and to choose their own leaders.

As I noted in the December 11 hearing, I worked on Cuba from 2000–2005 as the deputy and then director of Cuban affairs. That experience gave me a unique and detailed understanding of Cuba, the nature of the regime, and the abuses that have been committed by it. If confirmed, I will commit to use that understanding to directly discuss Cuba with the Colombian Government in order to ensure that our policies to support democracy and the Cuban people are fully understood.

Question. Please explain how the Cuban Government, a U.S.-designated State Sponsor of Terrorism and the worst human rights violator in the Western Hemisphere, serve as guarantor of a “peace agreement” with the FARC, a U.S.-designated Foreign Terrorist Organization?

Answer. This was a decision of the parties to the talks, the Colombian Government and the FARC.

In August, 2012, the Colombian Government and the FARC announced a “General Agreement for the Termination of the Conflict and the Construction of a Stable and Lasting Peace.” That agreement indicated that the talks would be established in Oslo, Norway, and that the principal venue for the talks would be Havana, Cuba.

The agreement also established that the peace talks would enjoy the “support of the Governments of Cuba and Norway as guarantors and the Governments of Venezuela and Chile as accompaniment.”

Question. The extradition of notorious drug traffickers has been a hallmark of our security cooperation with the Government of Colombia. In March 2011, the administration failed to persuade President Santos to extradite Walid Makled to the United States, who was ultimately sent to Venezuela.

- ◆ What has been the impact of this decision to U.S. counternarcotics and counterterrorism efforts?
- ◆ Please explain the conditions of Mr. Makled incarceration in Venezuela and what steps have Venezuelan authorities taken to prosecute him and other Venezuelan individuals he has implicated in drug trafficking?
- ◆ Is it true that Makled, who was wanted in Venezuela on murder charges, is routinely released?
- ◆ Are you confident about the Venezuelan Government’s ability to fully investigate and prosecute the Venezuelan individuals implicated by Mr. Makled?

Answer. We have and continue to work successfully in partnership with Colombia to counter illicit drugs and terrorism through interdiction and eradication programs, capacity-building for security institutions, and economic and alternative development support to consolidation zones. We have achieved dramatic and positive results as a result of this cooperation, and if confirmed, I will make this area of collaboration a top priority.

Walid Makled was arrested in Colombia by Colombian authorities in August 2010, based in part on information provided by U.S. law enforcement authorities. While in Colombian custody, U.S. law enforcement authorities had ample access to Makled in order to interview him on his criminal activities. The U.S. agencies that took part in this effort worked to ensure that the resulting information was made available for potential U.S. investigations and prosecutions.

The United States sought Makled’s extradition based on indictments for narcotics trafficking handed down by the Southern District of New York. Venezuela simultaneously sought Makled’s extradition.

The United States prepared a thorough and convincing extradition request, submitted it in a timely manner, and backed it with several, direct discussions with the highest levels of the Colombian Government. The Colombian Government was aware of the existence of our request, its legal sufficiency, and our very strong motivation to have the important trafficker face justice in the United States for his serious crimes. Ultimately, the Colombian Government approved the Venezuelan request and delivered Makled to Venezuela in May 2011. Clearly the United States was disappointed by the Colombian Government’s decision; we firmly believe that trying Makled in U.S. courts would have been a better service of justice. The fact that U.S. authorities were able to extensively interview him while in Colombia assisted other, related investigative efforts.

We respect the extradition processes of the Government of Colombia, which has facilitated the transfer of more than 1,607 suspects to the United States since 1997, and we will continue to work together actively on this issue. Colombia remains one of our closest counternarcotics partners, and our related cooperation spans a wide range of programs, from drug eradication and interdiction to prosecuting alleged drug traffickers. Our successful, ongoing counternarcotics and counterterrorism co-

operation with Colombian authorities was not affected by this decision. In fact, we have achieved important successes in the meantime, and continue to enjoy close and cooperative relations with our Colombian counterparts in the law enforcement and judicial communities.

We do not have direct information about Makled's conditions of detention in Venezuela, including about whether he is released temporarily. Press reports indicate that he was tried on charges of narcotics trafficking, money laundering, and murder, beginning in April 2012. The precise disposition of the trial, including its results, has not been made public by Venezuelan authorities.

The Venezuelan Government has a responsibility to thoroughly investigate and effectively prosecute the crimes that it accuses Makled of, but has significant credibility problems. We are not confident that it will fully investigate and prosecute crimes which come to its attention. As the Department noted in the Country Report on Human Rights Practices for 2012, "while the constitution provides for an independent judiciary, there was evidence that the judiciary lacked independence. There were credible allegations of corruption and political influence throughout the judiciary." Moreover, former Supreme Court Justice Eladio Aponte Aponte asserted there was no judicial independence in Venezuela and that senior government officials, 'from the President on down,' regularly told judges how to handle cases coming before their courts."

We respect the extradition processes of the Colombian Government and if confirmed, I will continue to work closely with you on this and other cases. Our extradition relationship with Colombia has yielded important results and real justice for very serious criminals.

Question. It has come to my attention that Portus, a company located in Jacksonville, FL, is having difficulty in exporting their products to Colombia even after the implementation of the FTA. Are you willing to meet with my constituents to discuss the issue in more detail so that you may assist them where possible?

Answer. If confirmed as Ambassador, I will make myself available to meet with U.S. firms doing business in Colombia. I would be pleased to meet with your constituents to discuss the matter and assist them if possible.

RESPONSE OF CATHERINE ANN NOVELLI TO QUESTION
SUBMITTED BY SENATOR CHRISTOPHER A. COONS

Question. Ms. Novelli—As I'm sure you're aware, in the last few years India has adopted a variety of discriminatory trade and economic measures that unfairly disadvantage U.S. companies and U.S. workers, including forced localization measures and failure to respect intellectual property rights. In June, I joined Senator Menendez and other Senators in writing to Secretary Kerry in advance of the U.S.-India Strategic Dialogue asking him to raise these concerns with the Indian Government, making it clear that we will consider all trade tools at our disposal if India does not end its discriminatory practices. It is our understanding that Secretary Kerry has done so, but we must continue to place such concerns at the top of the economic agenda with India.

◆ If confirmed, what steps will you take to encourage the Indian Government to address the concerns of the U.S. private sector regarding unfair business practices?

Answer. If confirmed, I will make India a primary focus country. India is widely expected to be the third-largest economy by 2030. U.S.-India trade has grown nearly fivefold since 2000 to reach \$94.5 billion in 2012 and defense trade alone has grown to over \$8 billion. U.S. firms are engaged in nearly every sector, from broadcast media and consumer goods, to financial services, but there is a great deal of untapped potential.

I will engage with high-level Government of India counterparts to discuss U.S. concerns, India's international obligations and best practices. Through steady engagement, I hope to achieve a more level playing field that further opens India's markets for U.S. firms for trade and investment. I will coordinate closely with U.S. businesses and other U.S. Government agencies to effectively and consistently engage the Government of India on these challenging issues.

The State Department will continue to lead and contribute to U.S. Government efforts to convey to India the challenges U.S. companies face through formal engagements like the Strategic Dialogue and the CEO Forum and congressionally mandated reporting like Special 301 and Notorious Markets. In addition, I will work closely with our Embassy in New Delhi and consulates in India who are, on a daily basis, advocating for U.S. firms at all levels. I will also seek to advance U.S.-India

negotiations on a Bilateral Investment Treaty that would open markets and provide protections for U.S. investors.

RESPONSES OF BRUCE HEYMAN TO QUESTIONS
SUBMITTED BY SENATOR JAMES E. RISCH

Question. Trade between Canada and the United States will be a critical issue in your new post. Each country promotes and restricts their industries under different regulatory regimes. As you know U.S. softwood lumber industry needs a strong advocate in Canada to build an equitable agreement for cross-border softwood trade.

◆ What role do you intend to play regarding the advocacy of U.S. timber interests?

Answer. The U.S. trade relationship with Canada is of vital importance to both of our countries. I understand the Softwood Lumber Agreement the United States and Canada reached in 2006 was renewed last year until October 2015. The agreement provides a process for arbitration of disputes between the United States and Canada, and both countries continue to follow this process. If confirmed, I assure you that I will advocate for U.S. interests in Canada, including on behalf of U.S. timber industry stakeholders, at the federal and provincial levels.

Question. Like a number of other states, Idaho has wrestled with the abuse of oxycodone. As a border state, we are particularly interested in the dialogue with Canada to ensure abuse deterrent formulas of drugs, specifically oxycodone, are approved for sale. The Federal Drug Administration only allows the sale of abuse deterrent oxycodone in the United States, and both the Office of National Drug Control Policy and the FDA have engaged the Canadian Health Minister on this issue. Currently the new Health Minister is supposedly considering changing Canadian policies regarding access to nonabuse deterrent oxycodone. If Canada does not align its policies with the U.S. FDA, the older nonabuse deterrent formulations will more easily come across the border and harm U.S. citizens.

◆ Do you support coordinating efforts between our countries and will you make it one of your priorities to pursue harmonized policies regarding pharmaceutical safety?

Answer. The prescription drug abuse epidemic is a shared challenge that each of our nations faces. The United States has a strong and productive relationship with Canada, and we must work together to address this problem.

One important step to reducing prescription drug abuse is through the expanded use of abuse-deterrent formulations for prescription drugs. Abuse-deterrent formulations can reduce the potential for misuse while providing effective treatment. If confirmed, I will work with Canadian officials to encourage the evaluation and use of abuse-deterrent formulations, along with other important safety measures, to reduce the diversion and abuse of prescription drugs on both sides of the border.

Question. An important issue in the Pacific Northwest is the Columbia River Treaty between the United States and Canada. Beginning in 2024, either nation can terminate most provisions of the treaty with at least 10 years written notice. Over the past several months, regional stakeholders have been working with the U.S. Entity made up of the Bonneville Power Administration and the U.S. Army Corps of Engineers to develop a set of regional recommendations to share with the State Department. Historically, the issues of flood control and power generation have been the focus of the treaty.

◆ As the U.S. Government looks to discuss this treaty with Canada, what do you believe are the top priorities for this treaty?

Answer. There is a process underway to determine the future of the Columbia River Treaty, and the State Department will receive the recommendation of regional stakeholders this month. Upon receipt of this recommendation, the U.S. Government will conduct an interagency review of the current operation of the Columbia River Treaty, and determine if renegotiation is in the U.S. national interest. The Department of State will coordinate the interagency review. It is too early in the process to know what the final recommendations will be, but, if confirmed as Ambassador, my priority will be to work cooperatively with the Canadian Government to achieve the best possible outcome for U.S. interests. If confirmed, I plan to consult closely with the U.S. Congress as this process unfolds.

RESPONSES OF TINA S. K Aidanow TO QUESTIONS
SUBMITTED BY SENATOR EDWARD J. MARKEY

Question. Your testimony describes one of your focuses as countering the messages terrorist groups use for recruitment. Are we tying our hands about responding to certain negative messages (e.g., claims the use of drone strikes) due to government secrecy about those operations?

Answer. The President is committed to ensuring that U.S. counterterrorism (CT) efforts are conducted in a transparent manner. As a part of this commitment, in a comprehensive address at the National Defense University (NDU) on May 23, 2013, President Obama laid out the legal and policy framework for U.S. counterterrorism strategy.

U.S. direct action operations are only one element within a much broader set of policy tools that together implement U.S. counterterrorism strategy. Building strong counterterrorism partnerships and enhancing partner capacity to address terrorism threats are at the heart of that strategy, as is countering the radicalism that fuels terrorism. If confirmed as Coordinator for Counterterrorism, I will be committed to employing all tools of U.S. counterterrorism policy, in particular U.S. efforts to counter violent extremism, and where appropriate, countering misinformation regarding U.S. counterterrorism efforts. While I, and other CT officials, cannot comment on the details or locations of specific counterterrorism operations, we aim to achieve the widest possible reach for our CVE messaging. Whether through satellite television, radio, or face-to-face interactions, CT has committed to undertaking CVE activities with the greatest possible breadth and transparency, yet within the bounds of our national security needs.

Challenging the terrorist narrative was the basis for the decision to establish the Center for Strategic Counterterrorism Communications (CSCC). CSCC directly counters violent extremist propaganda in the communications environment; develops and promulgates narratives, public communication strategies, and thematic guidance for USG use; identifies and facilitates technology solutions and best practices; and recommends USG communications capabilities improvements.

CSCC's work is guided and supported by world-class research, academic outreach, and intelligence reporting and analysis. One of CSCC's major program efforts is countering the al-Qaeda (AQ) narrative and propaganda in digital environments, working in Arabic, Urdu, Somali and English, and using text, still images, and video. CSCC's Digital Outreach Team (DOT) focuses specifically on al-Qaeda and the constellation of like-minded terrorist groups associated and affiliated with al-Qaeda. The team pushes back against AQ propaganda in interactive digital environment-like forums, YouTube, Twitter, and Facebook.

Question. 22 USC 2349aa-7 states that the Secretary of State is responsible for coordinating all assistance related to international terrorism which is provided by the U.S. Government to foreign countries. Does that include assistance furnished by the intelligence community?

Answer. The State Department is committed to ensuring that U.S. counterterrorism foreign assistance is fully coordinated within the interagency, and the Bureau of Counterterrorism serves as a focal point for the Department within the counterterrorism community. As a result, while I cannot comment on intelligence issues, as a general matter our awareness of activities throughout the interagency enables us to serve in an advisory role on foreign assistance policy and program planning efforts and to ensure our overall efforts are coordinated.

Question. There have been credible reports documented by the United Nations, the Afghan Independent Human Rights Commission of detainees being tortured in Afghan custody after transfers by U.S. forces. What is your office's role in preventing abuses of detainees and other human rights violations by foreign intelligence services who either participate in joint capture operations or receive funding from the United States?

Answer. I cannot comment on intelligence matters or operational matters in this response, but in general the administration has a firm policy that individuals who are captured must not be tortured or subjected to cruel, inhumane or degrading treatment. If confirmed, I would strive to ensure that this policy is upheld on all issues my bureau works on.

Beyond the imperative to uphold touchstone U.S. human and civil rights principles in such matters, we work to prevent such practices because they can often serve to exacerbate the very conditions that lead to radicalization and violent extremist challenges in the first place. We believe strongly that effective counter-

terrorism practices must be undertaken within a firm rule of law framework that protects civilians and offers adequate civil, legal, and human rights protections.

I would also note that the State Department vets foreign military and police participants in capacity-building programs to ensure that neither they nor their units are the subject of allegations of human rights violations. The Counterterrorism Bureau also includes in its capacity-building curricula training modules that reinforce the importance of human rights conventions and norms in the conduct of counterterrorism operations.

I am committed to ensuring that the CT Bureau remains active in its efforts to ensure that our international CT partners adhere to the highest standards for the protection of human rights.

RESPONSE OF KEVIN WHITAKER TO QUESTION
SUBMITTED BY SENATOR EDWARD J. MARKEY

Question. The U.S. Government, as well as other governments, has expressed concern over Colombia's draft biologics regulation, which includes an abbreviated pathway for the marketing approval of biosimilars. This abbreviated pathway does not adhere to standards for approval of biosimilars that have been established by the World Health Organization (WHO), the U.S. Food and Drug Administration (FDA) and the European Medicines Agency (EMA). International attention to this issue has resulted in President Santos expressing a willingness to address this issue; however, continued engagement on this matter is critical.

- ◆ As Ambassador, what actions will you take to help ensure that Colombia issues a final regulation for the approval of biosimilars that is in line with other internationally adopted standards that ensure quality and protect patient safety?

Answer. If confirmed, I will work to engage the Government of Colombia at the highest levels to help ensure Colombia's final regulation is in line with international standards to ensure quality pharmaceuticals and patient safety. Given the timeline, this would be an immediate priority.

The United States is already closely following developments in biologics regulation, working in cooperation with stakeholders and like-minded governments.

We will continue to follow up on this issue.

RESPONSE OF BRUCE HEYMAN TO QUESTION
SUBMITTED BY SENATOR JEFF FLAKE

Question. It is my understanding that Canada, as a result of a judicial decision, has adopted a new patent standard for patents relating to the pharmaceutical industry. The result has been that patents which were previously approved by Canada's health agency as safe and effective for patient use, and which have been used by thousands of people, are now being revoked. Another unfortunate result has been that competitors of the companies that received the initial patent are now able to produce and sell the same drug for the Canadian market. Outgoing Ambassador Jacobson has been actively engaged with the Canadian Government on this issue.

- ◆ If confirmed, will you pick up where Ambassador Jacobson left off?
- ◆ Will you work with representatives of other countries that are similarly disadvantaged by this change in patent standard?

Answer. Protection for intellectual property rights is the foundation of the success of American business, as well as small inventors and creators. This protection fosters and promotes investment in innovation so important to our economic well-being and global competitiveness. All trading partners should respect and properly apply the internationally accepted criteria for obtaining a patent, including the utility standard.

If confirmed, I will raise the issue of strong patent protection with the key Canadian Government interlocutors who can effect change on this issue. I will raise the issue during the course of my courtesy calls and continue to press officials until we see progress. I will seek to persuade Canadian authorities that effective patent protection is in our mutual economic interest and is essential for further innovation and investment, and would collaborate with my counterparts from other countries with similar concerns. If confirmed, I will engage with business stakeholders who have concerns in this area and look to Washington agencies and other stakeholders for their input.

RESPONSES OF CATHERINE ANN NOVELLI TO QUESTIONS
SUBMITTED BY SENATOR JOHN BARRASSO

PRESIDENTIAL PERMITS

Question #1. Does the State Department require a NEPA review for every pipeline connection made to an existing permitted pipeline? If not, in what circumstances is it required? Has the State Department published its policy in this regard? Where might pipeline owners/operators locate the State Department's explanation of this policy? Does the published policy constitute authority that pipeline owners/operators can rely upon, or is the policy subject to the State Department's ad hoc interpretation?

Answer. As a general matter, if confirmed, I am committed to ensuring that the Department's permit review process is objective, transparent and rigorous.

I understand that the Department's practice is to handle Presidential Permit decisions in a way that is consistent with NEPA, and that the question of whether a NEPA-consistent review will be conducted, and if so, what form it will take, depends on the facts of each case. Regarding the question of pipeline connections or any particular change that a company may consider to pipeline facilities within the scope of a Presidential Permit, the principal question is whether the particular change contemplated (type, purpose, location, etc.) is consistent with the terms of the existing Presidential Permit. If the proposed change is not within the terms of the existing permit, then the Department determines, consistent with NEPA, whether issuing a new or revised permit would trigger environmental analysis. There are a number of sources of policy information available (see list below) for pipeline owners/operators and others, though the published policies necessarily do not attempt to prejudice inquiries that will vary upon the facts.

1. Executive Order 13337 provides an overview of the overall process: <http://www.gpo.gov/fdsys/pkg/FR-2004-05-05/pdf/04-10378.pdf>.

2. Department of State NEPA regulations (which in turn reference CEQ regulations): http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&sid=d3adb2fcdec50e11eb59b2adda8b02b2&tpl=/ecfrbrowse/Title22/22cfr161_main_02.tpl.

3. Department of State Public Notice on Procedures for Issuance of a Presidential Permit Where There Has Been a Transfer of the Underlying Facility, Bridge or Border Crossing for Land Transportation <http://www.gpo.gov/fdsys/pkg/FR-2005-05-31/html/05-10736.htm>.

4. Interim Guidance for the Use Of Third-Party Contractors in Preparation Of Environmental Documents By The Department Of State <http://www.state.gov/documents/organization/190304.pdf>.

5. Applicants are also welcome to reach out to the Department with any questions. Contact information is found on the Department's Web site: <http://www.state.gov/e/enr/applicant/index.htm>.

Question #2. Pipeline owners must conduct maintenance to keep pipelines safe. Does the State Department require a new permit if a company: (1) replaces existing pipe, without changing diameter, throughput, etc.; (2) adds a relief tank; (3) caps a section of a pipeline; (4) adds a block valve; or (5) adds a connection?

Answer. Pipeline safety is critically important. I understand the State Department expects operators to perform ordinary maintenance, such as replacing an existing pipe where old pipe is damaged, when needed to meet best-practices for pipeline safety. My understanding is that permits issued by the Department of State typically authorize the permittee to maintain their permitted pipeline facilities, and no new permit would be required to undertake such necessary maintenance. However, some other modifications could be substantial enough to require a review by the State Department. Determining whether a new permit would be needed in such cases would require examination of the existing permit and the proposed modifications, including any explanations and information provided by the permittee.

Question #3. How does the State Department define the border facilities of a cross-border pipeline? Is it the area from the border to the first block valve; or from the border to the first terminal? What constitutes the facilities in the immediate vicinity of the international boundary line?

Answer. My understanding is that the permits issued by the Department of State typically include a description or definition of the facilities covered by the permit. I have been informed that the Department of State's current practice when it issues a new permit for pipeline border facilities is to define the scope of the permit as covering the facilities up to and including the first mainline shutoff valve or pumping station that is proposed for construction or in existence at that time in the

United States, and to date the block valves the Department has considered have been located far enough from the border that it has not needed to consider whether there is a minimum distance that must be covered by the permit. Older permits describe pipeline facilities in different ways.

Question #4. States review the environmental impact of pipelines built in their States. PHMSA is responsible for pipeline safety. How broadly do you construe the State Department's authority to review the environmental impacts of changes to existing permitted pipelines? Do you believe the State Department is entitled to review any change to any section of the pipeline? Is the State Department's review limited to only the border facilities?

Answer. As described above, whether an environmental review will be conducted, and if so, what form it will take, depends on the facts of each case. I also understand that NEPA-consistent environmental analyses may sometimes take into account connected actions, and/or the cumulative effects of a potential environmental impact.

Question #5. Pipeline permits, once granted, are not time limited. Companies build pipeline, rail, and trucking infrastructure to respond to market conditions, and future connections to pipelines are not foreseen when they are initially permitted, although it is the nature of pipelines to have connections made to them. Does the State Department require a new permit when a permittee adjusts its marketing (e.g., given shifts in the market, the permittee responds to opportunities that allow product to be delivered to/from the pipeline by rail, truck facility, or a new pipeline at a location other than the original pipeline termini)?

Answer. As a general matter, it is my understanding that the Department allows some flexibility for permittees to adjust to market demand, including in how a product might be handled before or after it crosses through the facilities covered by the permit. Whether such adjustments require a new permit depends on the facts of each case. I understand, for example, that permittees may sometimes want to change their business plan for using a pipeline border facility in a way that requires new construction or a substantial change in operations that may not be authorized by a permit. I would expect the Department of State to consult with the permittee to ascertain the nature of any proposed changes to the pipeline border facilities or their operation, as well as any other information relevant to the Department's analysis. As long as a permittee continues to use pipeline border facilities in a manner that is authorized in a Presidential Permit, no new permit would be required.

Question #6. Does the State Department afford permittees an opportunity to be heard and meet with staff to discuss technical issues, as FERC does in pre-filing? Where is the protocol for such consultations published for public access? Please provide an example of when the State Department has evaluated an industry concern that resulted in the State Department adopting a change of policy or process.

Answer. The Department of State's permitting process provides opportunities for staff to meet with permittees or applicants to discuss technical issues before and after they file an application for a new Presidential Permit. The Department's Web site invites inquiries from applicants: <http://www.state.gov/e/enr/applicant/index.htm>; <http://www.state.gov/p/wha/rt/permit/>. My understanding is that most application processes involve significant correspondence between the applicant and the Department, and the Department routinely accepts requests from applicants for meetings. I believe that frank, open communication can help applicants prepare the materials that will assist the Department and make the processing of applications more efficient. I understand that the Department's current approach to defining pipeline border facilities in new permits was developed following consultations that included industry.

Question #7. Does the State Department issue written orders that explain its policy determinations? Does the State Department issue written orders explaining any decision to conduct an environmental review of applications submitted as "name change" applications under Public Notice 5092? (It states at the end of that notice that if State receives information that the transfer potentially would have a significant impact on the quality of the human environment, the State Department will evaluate what further steps it will take with respect to environmental review of the application.)

Answer. My understanding is that most application processes result in significant correspondence between the applicant and the Department, and the Department often uses such correspondence to explain specific policy determinations made in a particular case. Further, if the Department does undertake an environmental review, the resulting documentation—whether a Finding of No Significant Impact,

an Environmental Assessment, or an Environmental Impact Statement—is publicly available.

Question #8. How many experts in pipeline marketing, pipeline safety, or pipeline maintenance does the State Department have on staff?

Answer. I understand that the State Department team that processes permit applications includes professional staff from several offices and bureaus. In addition, the permit process involves significant interagency consultations, and when the Department needs additional expertise, such as on issues of pipeline marketing, safety, or maintenance, the Department reaches out to interagency colleagues. The Department may also seek additional expertise from an independent third party contractor when conducting an environmental review. (The assistance of such contractors is sought consistent with the Department’s “Interim Guidance for the Disclosure of Organizational Conflict of Interest in the Use of Third-Party Contractors in Preparation of Environmental Documents by the Department of State.”)

Question #9. How long, on average, does the State Department take to approve a name-change permit?

Answer. I understand that, in addition to following the procedures specified in E.O. 13337, the State Department also follows guidance published in 2005 that describes the specific procedures it follows considering a transfer in ownership of a facility that is covered by a Presidential Permit. I understand that the time period can vary and depends on a number of factors including the resources available to the Department, whether the name change request also encompasses other issues such as changes to the operations or the border facilities that occur in conjunction with a change in ownership or control, the availability of accurate information about the pipelines (particularly in the case of older facilities), the number and complexity of other permit applications under review, the responsiveness of the applicant to questions, and the time needed to complete any interagency consultations. I understand that many applications involving nothing more than a change in ownership or control are relatively straightforward and proceed smoothly. As I stated in the answer to Question 1, I am committed to ensuring that the Department’s review is thorough, fair, transparent, and timely.

**NOMINATIONS OF HELEN MEAGHER LA LIME,
CYNTHIA H. AKUETTEH, LARRY ANDRE, JR.,
AND ERIC T. SCHULTZ**

TUESDAY, DECEMBER 17, 2013

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

Helen Meagher La Lime, of the District of Columbia, to be Ambassador to the Republic of Angola
Cynthia H. Akuetteh, of District of Columbia, to be Ambassador to the Gabonese Republic and to be Ambassador to the Democratic Republic of Sao Tome and Principe
Larry Edward Andre, Jr., of Virginia, to be Ambassador to the Islamic Republic of Mauritania
Eric T. Schultz, of Virginia, to be Ambassador to the Republic of Zambia

The committee met, pursuant to notice, at 3:50 p.m., in room SD-419, Dirksen Senate Office Building, Hon. Christopher Coons presiding.

Present: Senators Coons, Murphy, and Flake.

**OPENING STATEMENT OF HON. CHRISTOPHER A. COONS,
U.S. SENATOR FROM DELAWARE**

Senator COONS. I am pleased to call to order this hearing on ambassadorial nominees to serve our Nation in Angola, Mauritania, Zambia, and Gabon and Sao Tome and Principe. All four nominees before us have impressive records of accomplishment in the Foreign Service and I look forward to hearing your respective priorities for advancing U.S. interests in your posts if confirmed. Our four nominees today will serve at a particularly significant moment, in which the United States is seeking to strengthen its economic ties with Africa and engage more deeply to deal with regional challenges and security development.

Our first nominee is Ambassador Helen La Lime, for Angola. Angola is one of the largest oil-producing and exporting nations on the continent and an important regional power. Angola also faces extremes of income inequality and struggles with the ramifications of what was a 27-year-long civil war, political domination by a small elite, and lack of political will to achieve transparency and accountability, and a challenging human rights record.

The United States-Angola relationship is not an easy one. I am particularly interested in how we can promote good governance, respect for human rights, diversify trade, and strengthen our ties with Angola's military.

For this important post, the President has nominated Ambassador La Lime, who is no stranger to diplomacy or Angola. A career member of the Senior Foreign Service of the U.S. State Department with the rank of Minister Counselor, Ambassador La Lime most recently served as DCM and Chargé d'Affaires in South Africa. She has served as consul general in Cape Town, Ambassador to Mozambique, DCM in Morocco, and Director of the Office of Central African Affairs.

Just north of Angola lies Gabon and the islands of Sao Tome and Principe. Thanks to its rich natural resources and to Gabon's small population, it has the fourth-highest per capita income in all of sub-Saharan Africa. However, a third of the population lives in poverty. While President Ali Bongo, son of Gabon's long-serving President Omar Bongo, has shown some reformist inclinations, the political opposition has been suppressed and impunity for corruption continues.

Sao Tome and Principe are located off the coast in the Gulf of Guinea, where maritime security cooperation has recently become critically important, an issue that Senator Flake has championed with my strong support.

We are considering Cynthia Helen Akuetteh for both Gabon and the Democratic Republic of Sao Tome and Principe. Ms. Akuetteh, a career member of the Foreign Service, has wide-ranging experience in Africa and strong mentoring skills. She most recently served as Deputy Assistant Secretary in the Bureau of African Affairs and has previously served as Director, Office of Europe, Middle East, and Africa in the Bureau of Energy Resources and as a Peace Corps staff member.

Next we will consider Mauritania, on the western edge of the Sahel, where regional security threats and concerns include AQIM and splinter organizations active in neighboring Mali, Algeria, and Niger. In addition to challenges relating to transnational security threats, Mauritania faces pressing socioeconomic challenges with a impoverished society that continues to recover slowly from a devastating regional drought in 2011. While Mauritania is one of our leading counterterror partners in the Sahel, bilateral relations are complicated by Mauritania's problematic record relating to democracy and human rights, including the persistence of slavery.

Larry Andre, the nominee for Mauritania, most recently served as Director of the Office of the Special Envoy for Sudan and South Sudan. Given the long history of development, governance and human rights challenges in Mauritania, Mr. Andre's recent experience will be particularly relevant. A two-time DCM, Mr. Andre will bring strong leadership, mentoring, and policy skills to a relatively isolated and demanding mission.

Last but certainly not least, we consider Eric Schultz to be Ambassador to Zambia. Home to one of the seven natural wonders of the world, which some day I want to see, Victoria Falls, Zambia draws tourists not only because of its UNESCO World Heritage sites, but also for its relative peace and stability since independ-

ence. Like the other three countries we are considering today, Zambia also faces some challenges, including some backsliding on democracy, widespread poverty, poor health conditions, largely due to the prevalence of HIV–AIDS.

Mr. Schultz is a three-time DCM with regional experience and an extensive background in economics, security, and democratization. At State he has led interagency teams on coordinating extensive assistance programs and he has broad experience in key Zambian economic sectors, especially finance, agriculture, mining, and energy.

I would like to invite my colleague on this subcommittee, Senator Flake, to make any opening comments.

**OPENING STATEMENT OF HON. JEFF FLAKE,
U.S. SENATOR FROM ARIZONA**

Senator FLAKE. Thank you, Mr. Chairman.

I have enjoyed meeting each of you and I am always impressed with the breadth of experience and knowledge and capability those who serve in the Foreign Service bring to this mission.

I would also like to note the presence of my former colleague, Mark Green, former Ambassador to Tanzania.

I appreciate hearing what you plan to do to further the relationship of our government and our people and the people of the countries in which you will serve. As I said, we are very well served, and each of you in your own way have difficult assignments, some more so than others, at this crucial time for our government, with regard to deepening relationships with these countries.

Thank you, Mr. Chairman.

Senator COONS. Thank you, Senator Flake.

I would now like to welcome each of our nominees and invite you to give your opening statements. I, in particular, would like to encourage you to take the time to introduce your family and friends who might be here, who we recognize are an essential part of supporting your service to our Nation. We are grateful for their sacrifices as well as yours.

We would like to encourage Ambassador La Lime, Ms. Akuetteh, and Schultz, and Mr. Andre in that order. Madam Ambassador.

STATEMENT OF HON. HELEN MEAGHER LA LIME, OF THE DISTRICT OF COLUMBIA, NOMINATED TO BE AMBASSADOR TO THE REPUBLIC OF ANGOLA

Ambassador LA LIME. Mr. Chairman, Ranking Member Flake, members of the committee, it is a great privilege and honor for me to appear before you today as President Obama's nominee to be the next Ambassador to the Republic of Angola.

If confirmed, I look forward to working with you and the honorable members of this committee to advance United States interests in Angola. I believe that my 32-year State Department career, half of it spent working in or on Africa, has prepared me for this assignment. I have had many rewarding positions, to include service as Ambassador to Mozambique, as deputy chief of mission in Pretoria, and most recently as director of outreach at the U.S. African Command.

Service in Angola next, if confirmed, would be especially significant on a personal level. I lived there as a child as a result of my father's position with Texaco. I hope to have a chance to share some of Angola's wonders and history with my two children, Matthew and Adriana, who are with me here today. I would also like to take this opportunity to thank my family and especially my mother and my deceased father for all of the support that they have given me throughout my career.

Mr. Chairman, I would welcome and be deeply honored by the opportunity to lead our efforts to encourage Angola to further expand its democratic space, to diversify its economy, and to strengthen our commercial ties. I look forward also to supporting the Angolan Government in its efforts to increase economic opportunity and the quality of life for all Angolans.

Angola has a remarkably young population. It is estimated that more than 55 percent of its people are under the age of 20. Angola's youth are full of hope and promise, and through our partnerships our Embassy is working to build good relations so together we can lay the foundations for a more prosperous, democratic future for this rising generation.

Mr. Chairman, the advancement of democracy is an important component of our Angola policy. A little over a year ago, on August 31, Angola held its first successful Presidential election. President Jose Eduardo dos Santos became President when his party garnered the majority of the votes. We commend the Angolan people for this significant democratic milestone.

We believe it is important for Angola to expand the space for democratic debate, to empower civil society, and to reinforce democratic institutions. If confirmed, I will support Angola's efforts to build upon the gains of the last decade, to increase transparency and accountability, and to address the persistent challenge of corruption.

Mr. Chairman, Angola's rich endowment of natural resources, oil and diamonds, has fueled a strong economy, made it a major sub-Saharan trading partner with the United States, and a leading producer of oil. If the vast deep water presalt oil deposits prove viable, Angola has the potential to significantly increase its oil production in the coming years. United States companies have operated there successfully for decades, benefiting from, and contributing to, Angola's strong economy. Other U.S. companies are now diversifying the U.S. commercial relationship with Angola.

One of the tragic consequences of the long civil war was the devastating toll it took on the nation's health delivery system. The United States has forged a productive partnership with Angola to rebuild their health system. Our mission in Luanda partners with international actors and the Angolan Government to support the development of an integrated, comprehensive, and sustainable health care system.

Mr. Chairman, whether in the form of United States support for the Angolan Government's demining efforts, combating trafficking in persons, military-to-military cooperation, or outreach efforts to Angolan youth, the U.S. Government has a vested interest in helping Angola to reach its fullest potential. If confirmed as our next Ambassador to Angola, I will continue to promote United States in-

terests while vigilantly protecting the safety of our Embassy personnel and their families.

Mr. Chairman and members, I thank you again for this opportunity and I look forward to answering your questions. Thank you very much.

[The prepared statement of Ambassador La Lime follows:]

PREPARED STATEMENT OF HELEN MEAGHER LA LIME

Mr. Chairman, Ranking Member Flake, and members of the committee, it is a great privilege and honor for me to appear before you today as President Obama's nominee to be Ambassador to the Republic of Angola.

Mr. Chairman, Ranking Member, if confirmed, I look forward to working with you and the honorable members of this committee to advance U.S. interests in Angola. I am confident that based on my 33 years in the Foreign Service, I am prepared for the challenges of leading our efforts to encourage Angola to further expand its democratic space, to diversify its economy and strengthen our commercial ties, and to support the Angolan Government in its efforts to increase economic opportunity for all Angolans and to improve the delivery of health services to its people after decades of war. Angola has a remarkably young population—it is estimated that more than 55 percent of Angola's people are under the age of 20. These Angolan youth are full of hope and promise, and through our partnerships in Angola our Embassy is working to build good relations so together we can lay the foundations for a more prosperous, democratic future for Angola's rising generation.

I have spent much of the last decade working in southern Africa—first as our Ambassador to Mozambique, then as the consul general in Cape Town, South Africa, and later as our Deputy Chief of Mission and Chargé d'Affaires in Pretoria. During that time, I witnessed the rise of Angola, from the ashes of war to a leader of the subregion. Since 2011, as Director of Outreach for the United States Africa Command, I have observed Angola's continued ascension to political, economic, and military leadership throughout Africa. It has been an extraordinary transformation, one of which all Angolans should be proud. And yet, Angola still faces challenges to realize its fullest potential as a prosperous, secure, and democratic nation playing an active and supporting role-building peace and stability in the region.

Mr. Chairman, the advancement of democracy is an important component of our policy toward Angola. Positively, Angola held its first successful Presidential elections on August 31, 2012. The ruling MPLA Party won with a credible 72 percent of the vote, clearly a strong majority and enough to control the National Assembly, though noticeably down from the 82 percent the party won in legislative elections in 2008. President Jose Eduardo dos Santos, in accordance with the 2010 Constitution, automatically became President when his party garnered the majority of votes. We commend the Angolan people, who voted peacefully in large numbers, in an orderly way, for this significant milestone in Angola's young democracy. Despite this success, work remains in Angola to expand the space for democratic debate, to empower civil society and to reinforce democratic institutions. If confirmed, I will work to support Angola's efforts to build upon the gains of the last decade, to increase transparency and accountability and to address the persistent challenge of corruption. To this end, I applaud the Angolan Government's decision to hold local municipal elections—currently projected for 2015—to enable and encourage citizens to hold their governments accountable.

Mr. Chairman, Angola's rich endowment of natural resources—namely oil and diamonds—has fueled a strong economy and made it a major sub-Saharan trading partner with the United States. In fact, Angola's steady and reliable oil production, coupled with Nigeria's production issues in the Niger Delta, has resulted in Angolan parity with Nigeria as the two leading oil producers in sub-Saharan Africa. If the vast deep water presalt oil deposits prove viable, Angola has the potential to significantly increase its oil production in the coming years. U.S. companies such as Chevron and ExxonMobil have operated successfully for decades in Angola, benefiting from and contributing to Angola's strong economy. Other U.S. companies are now diversifying the U.S. commercial relationship with Angola, including General Electric, which signed an agreement early this year to supply 100 locomotives to Angola with U.S. content in excess of \$150 million. If confirmed, I will work to promote expanded and diversified commercial ties between our two countries and to encourage Angolan authorities to continue their own program of economic diversification so that natural resource extraction is not the only engine for growth. I also look forward to engaging with leaders in the Angolan diamond industry as the country seeks to become the next vice-chair and ultimately chair of the Kimberley Process

(KP). Angola's leadership of the KP would present a unique opportunity to address needed reforms and production issues in the diamond-mining areas near the Congo border while also contributing to Angola's ascension as an international leader.

One of the tragic consequences of the long Angolan civil war was the devastating toll it took on the nation's health delivery system. The United States has forged a productive partnership with the Angolans to rebuild their health system and to put it on a sustainable track. Largely drawing from the President's Malaria Initiative and the President's Emergency Plan for AIDS Relief (PEPFAR), our mission in Luanda partners with other international actors and the Angolan government to support the development of an integrated, comprehensive, and sustainable health system capable of providing quality health care services to all Angolans. If confirmed, I will continue to champion these efforts as the government seeks to maintain focus on the key, cross-cutting theme of Sustainable Institutional Capacity Development by providing technical assistance to strengthen the national health care delivery system with an emphasis on strategic information, reducing child and maternal mortality, raising the status of women and girls, and working toward an AIDS-free generation.

Mr. Chairman, whether in the form of U.S. support for the Angolan Government's demining efforts, combating trafficking in persons, military-to-military cooperation, or outreach to Angolan youth, the U.S. Government has a vested interest in helping Angola to reach its potential and to pursue our convergent strategic interests. If confirmed as our next ambassador to Angola, I will continue to promote U.S. interests and encourage Angola's further political, economic, and social development, while vigilantly protecting the safety of our Embassy personnel and their families.

Mr. Chairman and members of this committee, I thank you again for this opportunity and look forward to answering your questions.

Senator COONS. Thank you very much, Ambassador La Lime.
Ms. Akuetteh.

STATEMENT OF CYNTHIA H. AKUETTEH, OF THE DISTRICT OF COLUMBIA, NOMINATED TO BE AMBASSADOR TO THE GABONESE REPUBLIC AND TO BE AMBASSADOR TO THE DEMOCRATIC REPUBLIC OF SAO TOME AND PRINCIPE

Ms. AKUETTEH. Mr. Chairman, Ranking Member Flake, and members of the committee, it is an honor to appear before you today. I am truly grateful to President Obama and to Secretary Kerry for the confidence that they have placed in me as their nominee for Ambassador to the Gabonese Republic and the Democratic Republic of Sao Tome and Principe. If confirmed, I will be honored to work with you and with other Members of Congress to protect and advance United States interests in Gabon and Sao Tome and Principe.

Most of my career has focused on Africa, beginning with my time with the Peace Corps, to my recent tour as Deputy Assistant Secretary of State for the African Bureau. I look forward to serving our Nation again in Africa, a continent full of promise, opportunity, and challenges, if confirmed.

I would not be here today without the endearing love and support from my family and I would like to now introduce my daughter, Tekki, who is with us today.

Gabon is an active partner of the United States. United States policy priorities are clear: deepening security cooperation, especially in the maritime domain; strengthening Gabon's democratic processes; enhancing trade and economic opportunities that benefit both countries; and assisting Gabon in the protection of its unique and incredible natural heritage and biodiversity. Our objectives align well with initiatives the Gabonese are undertaking under President Bongo Ondimba's "Strategic Plan for an Emergent Gabon."

Gabon sits on the strategic Gulf of Guinea, an important source of oil—of U.S. oil imports. It is the sixth-largest oil producer in Africa and the United States is one of its major markets. In August, Secretary of the Navy Raymond Mabus had a very productive visit to Gabon, where he met with President Bongo Ondimba and the Defense Minister. As a result, we have sent a Navy assessment team to assist Gabon in the development of a comprehensive maritime strategy.

The professional development of the Gabonese security forces continues to be crucial. I will stress to the leadership the significance that we place on respecting human rights, accountability, and transparency, and if confirmed I will enforce implementation of the Leahy law.

Democratization, transparency, and good governance are paramount for development. While Gabon has historically been a stable country, it is nevertheless emerging from four decades of stagnant development and rule by a single President. Since he took office in 2009, President Ali Bongo Ondimba has moved to streamline and modernize Gabon's entrenched bureaucracy. He has appointed policy experts, published an economic development plan, and begun to enforce administrative procedures.

On the economic front, we are pushing for the further opening of Gabon's market to United States trade and investment. For example, we have worked with the government to ensure that U.S. firms are given full and fair opportunity to participate in the development of the hydrocarbon sector. We are also helping Gabon diversify its economy through support for United States investment in other sectors, such as infrastructure development and education.

We partner with Gabon through the U.S. Fish and Wildlife Service to strengthen the capacity of Gabon's parks agency. U.S. Marines and Navy teams have trained a unique unit of combined park and military police to secure Gabon's remote, forested frontier from criminal elements, particularly narcotics and other illicit traffickers. Gabon is a partner in the Congo Basin Forest Partnership, a United States initiative, and if confirmed I will continue to advance our shared work on environmental stewardship.

Let me now turn to the other country to which I am nominated to serve as Ambassador, Sao Tome and Principe. An island state, it is the second-smallest in size as well as one of the poorest countries in the world. U.S. national interests are served by its strategic location in the Gulf of Guinea and its respect for democracy.

To further strengthen regional cooperation, the United States provides military assistance and training for security forces in Sao Tome and Principe. If confirmed, I will continue in this endeavor and also to work with the government to develop a maritime strategy.

Most importantly, no goal will be more important to me than protecting the lives, interests, and welfare of Americans who live and travel in Gabon and Sao Tome and Principe. I look forward to leading and fostering the development of the dynamic Embassy team that we have in Libreville, which includes the first deployment of six Marine security guards.

Mr. Chairman and members of the committee, if confirmed I look forward to serving as the next United States Ambassador to the

Gabonese Republic and the Democratic Republic of Sao Tome and Principe. You will always be welcome.

Thank you.

[The prepared statement of Ms. Akuetteh follows:]

PREPARED STATEMENT OF CYNTHIA H. AKUETTEH

Madam Chair and members of the committee, it is an honor to appear before you today. I am truly grateful to President Obama and to Secretary Kerry for the confidence that they have placed in me as their nominee for Ambassador to the Gabonese Republic and the Democratic Republic of Sao Tome and Principe. If confirmed, I will be honored to work with you and other Members of Congress to protect and advance U.S. interests in Gabon and Sao Tome and Principe.

Most of my career has focused on Africa, beginning with my time with the Peace Corps as a staff member, to my recent tour as Deputy Assistant Secretary in the Africa Bureau. If confirmed, I look forward to serving our Nation again in Africa, a continent full of promise, opportunity, and challenges.

I would not be where I am today without the endearing love and support from my family and I would like to now introduce my daughter, Tekki, who is with us today.

Gabon is a stable country and an active partner of the United States. U.S. policy priorities are clear: (1) deepening security cooperation, especially in the maritime domain; (2) strengthening Gabon's democratic processes; (3) enhancing trade and economic opportunities that benefit both countries; and (4) assisting Gabon in the protection of its unique and incredible natural heritage and biodiversity. Our objectives align well with initiatives the Gabonese are undertaking under President Bongo Ondimba's "Strategic Plan for an Emergent Gabon."

Gabon sits on the strategic Gulf of Guinea, an important source of U.S. oil imports. Gabon is the sixth-largest oil producer in Africa and the U.S. is a major market for Gabonese oil exports. If confirmed, I will work closely with the Gabonese Government to promote security in this vital region. In August, Secretary of the Navy Raymond Mabus had a very productive visit to Gabon, where he met with President Bongo Ondimba and the Defense Minister. As a result, we have sent a Navy assessment team to assist Gabon in a review of its maritime forces that could inform the future of the development of a comprehensive maritime strategy.

The professional development of the Gabonese security forces, including law enforcement (gendarmerie) and peacekeeping, continues to be an important priority. If confirmed, I will work closely with the Gabonese Government, as well as the Economic Community of Central African States (ECCAS) to promote regional stability and civilian protection. ECCAS, headquartered in Libreville, has been instrumental in the establishment of peacekeeping operations in the Central African Republic. To that end, I will stress to the leadership the importance we place on respect for human rights, accountability and transparency, and I will enforce implementation of the Leahy law.

Democratization, good governance, and transparency continue to be top U.S. priorities. Gabon has been historically a stable country. But, Gabon is emerging from four decades of stagnant development and rule by a single President. Since he took office in 2009, President Ali Bongo Ondimba, in contrast to his long-serving father, has moved to streamline and modernize Gabon's ailing and entrenched bureaucracy that resists undertaking reforms and inhibits economic growth and development. President Bongo Ondimba has appointed policy experts, published an economic development plan, and begun to enforce administrative procedures.

President Bongo Ondimba has reversed Gabon's longstanding nonaligned policies and strongly supports U.S. objectives on many critical international issues. In 2011, Gabon was removed from the Tier II Watch list for Trafficking in Persons due to its efforts to arrest traffickers, enhance legislation, and protect victims. If confirmed, I will continue to engage the government to do more to halt transnational crime, including the trafficking of persons. I will also continue to engage leaders from the government, opposition parties, and civil society to increase respect for human rights and protection for fundamental freedoms, and further strengthen Gabon's emerging democracy.

On the economic front, we are pushing for the further opening of Gabon's market to U.S. trade and investment. For example, we have worked with the government to ensure Gabon's tendering process in the oil sector is as fair and transparent as possible; and that U.S. firms are given full and fair opportunity to participate in the development of the hydrocarbon industry. We are also helping Gabon diversify its economy through support for U.S. investment in other sectors, such as infra-

structure development and education. These are sectors in which U.S. firms and educational institutions are already active.

Gabon is a country committed to environmental conservation. For several years USAID, through its Central Africa Regional Program for the Environment (CARPE), has partnered with Gabon. In addition, we also partner with Gabon through the U.S. Fish and Wildlife Service to strengthen the capacity of Gabon's Parks agency. This helps Gabon to administer its national parks and other protected areas and combat wildlife crimes that often go hand-in-hand with illicit trafficking of arms, gems, people, and weapons. U.S. Marines and Navy teams have trained a unique unit of combined Gabon Parks and gendarmes (military police) to secure Gabon's remote, forested frontier areas from criminal elements. Gabon is an important partner in the Congo Basin Forest Partnership (CBFP), a U.S. initiative involving the public and private sectors and is a key African platform for addressing a host of regional issues. Some of the more notable issues include: stemming deforestation, combating wildlife trafficking, assuring economic livelihoods, and cooperation for climate change mitigation. If confirmed, I will continue to advance our shared work on environmental stewardship.

Let me now turn to the other country to which I am nominated to serve as Ambassador, Sao Tome and Principe (STP). An island state, it is the second-smallest in size as well as one of the poorest countries in the world. Sao Tome has a vibrant political scene but severe budgetary constraints have hampered the progress of democracy. U.S. national interests are served by Sao Tome's strategic location in the Gulf of Guinea and its respect for democracy. To further strengthen regional cooperation, the U.S. provides military assistance and training for security forces in Sao Tome. As with Gabon, following the successful visit of the Secretary of the Navy to Sao Tome in August, the United States will send a team to assist Sao Tome in the development of a comprehensive maritime security strategy. If confirmed, I will continue to work with Sao Tome to improve its port security through cooperation with the U.S. Coast Guard; and to strengthen regional security and improve bilateral trade links with the United States.

And, most importantly, if confirmed, no goal will be more important to me than protecting the lives, interests, and welfare of Americans living and traveling in Gabon and Sao Tome and Principe. I look forward to leading and fostering the development of the dynamic embassy team that we have in Gabon, which includes the first deployment of six Marine Security Guards since 1994.

Madam Chair and members of the committee, if confirmed, I look forward to serving as the next U.S. Ambassador to the Gabonese Republic and the Democratic Republic of Sao Tome and Principe.

Senator COONS. Thank you, Ms. Akuetteh.

Mr. Andre.

**STATEMENT OF LARRY EDWARD ANDRE, JR., OF VIRGINIA,
NOMINATED TO BE AMBASSADOR TO THE ISLAMIC REPUBLIC
OF MAURITANIA**

Mr. ANDRE. Mr. Chairman, Mr. Ranking Member, I am honored to come before you as President Obama's nominee to be the next United States Ambassador to the Islamic Republic of Mauritania. I am grateful to the President and the Secretary for their confidence in me.

I am accompanied today by my daughter, Ruhiyyih Andre, her friends, my sister-in-law, and my former boss, Ambassador Mark Green.

Mauritania is a strong partner of the United States in northwest Africa. We support efforts of the Mauritanian Government, political parties, and civil society, to strengthen democratic institutions, to end slavery, and to build a secure, united, and increasingly prosperous society that celebrates the cultural diversity of this starkly beautiful land.

The Mauritanian people are menaced by Al Qaeda in the Islamic Maghreb. Mauritania's security forces are eliminating this menace. We assist their efforts. Mauritania supports its neighbor Mali as

that country renews its democracy and while confronting this same menace of violent extremism.

Mauritania hosts more than 66,000 Malian refugees. Since the Mali conflict began two years ago, the United States has provided over \$30 million in humanitarian assistance to Mauritania to address food insecurity and the needs of the Malian refugees.

Mauritania held the first round of legislative and municipal elections last month. The second round is scheduled for this Saturday. Presidential elections should be held in 2014.

Mauritanians are distancing themselves from a history of autocratic governance. Democratic governance, resting on a foundation of citizens' rights and integrity in the management of public resources, is the surest path to social and economic advancement. Inclusive, honest governance is both the best response to violent extremists who seek to reverse Mauritania's recent gains and an effective means to strengthen Mauritania's national unity.

Like many other multiethnic countries, including our own, Mauritania has struggled a national identity that fully reflects its cultural diversity. The mix of Arab, Berber, Halpulaar, Soninke, and Wolof cultures gives Mauritanian society its richness and ties with its neighbors. During my first visit in 1984, I was impressed by the Mauritanian people's generous hospitality, entrepreneurial spirit, and love for poetry and theological debate. Mauritanians of all ethnic communities share a deep reverence for their faith. Their tradition of pious, spiritual, and scholarly Islam is respected throughout the Muslim world.

My career in Africa began 30 years ago as a Peace Corps Volunteer living in a small village. As a diplomat since 1990, among several other assignments in Africa, I served as deputy chief of mission in Sierra Leone and Tanzania. I served in Sierra Leone at the end of a brutal war. Our Embassy played a vital role in the launch of a remarkable recovery. In Tanzania, our partnership broadened and deepened dramatically, contributing to Tanzania's progress while producing opportunities for American business.

As director of the Office of the Special Envoy for Sudan and South Sudan over the past 2 years, I admired the determination of Sudanese and South Sudanese citizens and of our colleagues at the two U.S. missions to build a better future in a region long suffering from war and injustice.

Mauritania has accomplished notable economic growth in recent years. If confirmed, I will work with American business to expand our growing commercial relations. I feel deeply the responsibility of a chief of mission to promote the security of resident Americans and U.S. Government employees. I also feel deeply the responsibility of a representative of the American people to apply our country's influence to the promotion of peace and human rights.

Mr. Chairman, Mr. Ranking Member, if confirmed I will seek to build on the achievements of Ambassador Joe Ellen Powell and her team in advancing an American-Mauritanian partnership based on shared values and shared interests.

I welcome any questions you may have. Thank you for your kind consideration of my nomination.

[The prepared statement of Mr. Andre follows:]

PREPARED STATEMENT OF LARRY EDWARD ANDRE

Mr. Chairman, Ranking Member, and distinguished members of the committee, I am honored to come before you as President Obama's nominee to be the next United States Ambassador to the Islamic Republic of Mauritania. I am grateful to the President and Secretary Kerry for their confidence in me.

I am supported here today by my daughter, Ruhyyih Andre and my friends and colleagues from the State Department's Africa Bureau and the Office of the Special Envoy for Sudan and South Sudan. My wife, Salma Rahman, is serving at our Embassy in Cote d'Ivoire, and so cannot be here today. I am thankful for the support I have received from my family, friends, and colleagues.

Mauritania is a strong partner of the United States in Northwest Africa. We support efforts of the Mauritanian Government, political parties and civil society to strengthen democratic institutions, to end slavery and to build a secure, united, and increasingly prosperous society that celebrates the cultural diversity of this starkly beautiful land. The Mauritanian people are menaced by violent regional extremist groups, like al-Qaeda in the Islamic Maghreb. We support Mauritania's security forces in confronting this threat. Mauritania supports its neighbor, Mali, as that country renews its democracy while confronting this same dire threat to regional security. Mauritania hosts more than 66,000 refugees from Mali. Since fiscal year 2012, the United States has provided nearly \$31 million in humanitarian assistance to Mauritania to address food insecurity and the needs of Malian refugees.

Mauritania held the first round of legislative and municipal elections last month. The second round is scheduled for this Saturday. Presidential elections should take place in 2014. Mauritians are distancing their nation from a history of autocratic governance. We know that democratic governance, resting on a foundation of citizens' rights and integrity in the management of public resources, is the surest way to achieve social and economic advancement. Representative, honest governance is both the best response to violent extremists who seek to reverse Mauritania's recent gains and an effective means to strengthen Mauritania's national unity.

Like many other multiethnic countries, including our own, Mauritania has struggled to achieve a national identity that fully reflects its cultural diversity. The mix of Arab, Berber, Halpulaar, Soninke and Wolof cultures gives Mauritanian society a special richness and ties to its neighbors to the North, East, and South. During my first visit in 1984, I was highly impressed by the Mauritanian people's generous hospitality, entrepreneurial spirit and love for poetry and theological discussion. Mauritanians of all ethnic communities share a deep reverence for their faith. Their tradition of pious, spiritual, and scholarly Islam is respected throughout the Muslim world.

My career in Africa began 30 years ago as a Peace Corps Volunteer, fresh out of college, living in a small village in West Africa. I greatly cherish all I learned from my village friends and host family. As a diplomat since 1990, among several other assignments in Africa, I served as Deputy Chief of Mission in Sierra Leone and Tanzania. In Sierra Leone, at the end of a brutal conflict, our Embassy played a vital role in the launch of a remarkable recovery. In Tanzania, our partnership broadened and deepened dramatically, contributing to Tanzania's development while producing new opportunities for American business. As Director of the Office of the Special Envoy for Sudan and South Sudan over the past 2 years, I greatly admired the determination of Sudanese and South Sudanese citizens, and of our colleagues at the two U.S. missions, to build a better future in a region long suffering from conflict and injustice.

Mauritania has accomplished notable economic growth in recent years. If confirmed, I will work to expand our growing commercial relations, working closely with American business. I feel deeply the responsibility of a Chief of Mission for the welfare of all resident Americans and of all U.S. Government employees. I also feel deeply the responsibility of a representative of the American people to apply our country's influence to the promotion of peace and human rights.

Mr. Chairman and members of the committee, if confirmed, I will look to you for counsel and support as I seek to build on the achievements of Ambassador Jo Ellen Powell and her team in advancing an American-Mauritanian partnership based on shared values and shared interests. I welcome any questions you may have. Thank you very much for your kind consideration of my nomination.

Senator COONS. Thank you, Mr. Andre.
Mr. Schultz.

**STATEMENT OF ERIC T. SCHULTZ, OF VIRGINIA, NOMINATED
TO BE AMBASSADOR TO THE REPUBLIC OF ZAMBIA**

Mr. SCHULTZ. Mr. Chairman and members of the committee, it is a privilege to appear before you today as the President's nominee to serve as the United States Ambassador to the Republic of Zambia. I am deeply honored by the confidence that President Obama and Secretary Kerry have placed in me. I am also grateful for the support of my lovely wife, Klaudia, and my older son, Alek, who are with us today, as well as my older son, Adam, who is not.

If confirmed, this will be an exciting time for us to return to Africa, a continent my family and I love very much, having served only a few years ago in Zambia's southern neighbor, Zimbabwe.

Zambia's economy has averaged better than 6-percent growth in recent years, and if confirmed part of my priorities as Ambassador will be to expand opportunities for United States companies as Zambia pushes in the near term to status as a middle-income country. In particular, I am committed to increasing United States trade and investment with Zambia. United States business can play an important role in Zambia's economic future, setting an example, as they have in my previous assignments, of how to conduct business honestly, without corruption, and bringing jobs to local citizens. And those businesses can prosper in the process, doing well by doing good.

I would be especially proud to represent the United States in a country with Zambia's record of peaceful and stable democratic traditions. Zambia lies at the heart of southern and central Africa, a country of stunning beauty that can and should be a model of governance for the continent. For that to happen, Zambia needs to build even further on its democratic achievements. This has been a U.S. Government priority and if I am confirmed it will remain so.

Although Zambia has a justifiable reputation for peace and stability and a record of commitment to multiparty democracy, recently the United States has expressed increasing concern about human rights and the trajectory of good governance in Zambia. Zambia successfully conducted elections in September 2011 that were peaceful and credible and which resulted in a peaceful transition of power. Yet, recent by-elections have been marked by violence and allegations of abuse of government resources, raising concerns about freedom and fairness.

If confirmed, I will vocally advocate for an open, robust dialogue among political parties, media, and civil society in order to help strengthen Zambia's democratic institutions, to amplify the positive aspects of peace and security, and to encourage respect for the rights of all Zambians.

Promotion of democracy has been a part of my career from its beginning. In particular, I have worked to identify and promote development of new generations of leaders in my previous assignments, and if confirmed this will be among my highest priorities in Zambia. A particular emphasis will be supporting young leaders in the public sector, private sector, and civil society through the President's Young African Leaders Initiative.

One of Zambia's greatest challenges is the crippling burden of disease, including HIV-AIDS, tuberculosis, and malaria. More than

12 percent of Zambians are HIV positive. In partnership with Zambia, the United States invests extensively in health assistance programs, including treatment, care, and prevention of HIV transmission, as well as building the Zambian Government's own capacity to address the health care needs of their citizens through a substantial PEPFAR program.

Since the program's inception in 2004, the United States has contributed over \$2 billion to Zambia to help arrest and then reverse the pandemic's tide. Today over half a million Zambians are alive because of the U.S. HIV-AIDS assistance. If confirmed, I will continue to constructively implement our assistance programs, ensure American taxpayers' funds are spent wisely and effectively, and continue to work in partnership to increase ownership by the Zambian Government of health care for all Zambians.

A Millennium Challenge Corporation compact with Zambia focused on improving access to clean water and sanitation facilities entered into force in November. Throughout the course of compact implementation, Zambia must continue to meet the Millennium Challenge Account indicators—in particular, adherence to standards of democracy and governance and respect for human rights for all Zambians regardless of race, ethnicity, gender, faith, or sexual orientation, as well as vigilant implementation of sound fiscal policy. If confirmed, I will champion respect for rule of law and the liberties guaranteed by Zambia's Constitution.

I hope my experience and service to our Nation has prepared me for this assignment, so that if confirmed I will be able to successfully represent the American people. My service has convinced me of the importance of American engagement in the world and strengthened my belief that effective partnerships require both respect and candor. If confirmed, I will work with the Zambian Government and the Zambian people to deepen our relationship and promote regional stability. It would be my privilege to lead Embassy Lusaka as we strengthen this partnership.

I thank you very much for the opportunity to appear before you today and I am happy to address any questions.

[The prepared statement of Mr. Schultz follows:]

PREPARED STATEMENT OF ERIC T. SCHULTZ

Mr. Chairman and members of the committee, it is a privilege to appear before you today as the President's nominee to serve as the United States Ambassador to the Republic of Zambia. I am deeply honored by the confidence that President Obama and Secretary Kerry have placed in me. I am also grateful for the support of my wife Klaudia as well as that of my two sons, Alek and Adam, all of whom were able to join us today.

If confirmed, this will be an exciting time to return to Africa, a continent my family and I love very much, having served only a few years ago in Zambia's southern neighbor, Zimbabwe.

Zambia's economy has averaged better than 6-percent growth per year. If confirmed, one of my priorities as Ambassador would be to expand opportunities for U.S. companies as Zambia pushes in the near term to a status as a middle-income country. In particular, I am committed to increasing U.S. trade and investment with Zambia. U.S. business can play an important role in Zambia's economic future, and those businesses can prosper in the process—doing well by doing good. In all of my previous assignments, American businesses set an example of how to conduct business honestly, without corruption, and they brought jobs to local citizens.

I would be especially happy to represent the United States in a country with Zambia's record of peaceful and stable democratic traditions. Zambia lies at the heart of southern and central Africa, a country of stunning beauty that can and should

be a model for the continent. For that to happen, Zambia needs to build even further on its democratic achievements. This has been a U.S. Government priority, and if I am confirmed, it will remain so. Although Zambia has a justifiable reputation for peace and stability and a record of commitment to multiparty democracy, over the past year, the United States has expressed increasing concern about human rights and the trajectory of good governance in Zambia. If confirmed, I will encourage Zambians to uphold the standards they have set for themselves on human rights and rule of law, recognizing that democratic principles are in Zambia's own interest, and central to U.S. policy.

If confirmed, I will work to strengthen our partnership to amplify the positive aspects of peace and security and encourage respect for the rights of all people and the institutions of a strong democracy. Zambia successfully conducted elections in September 2011 that were generally peaceful and credible and which resulted in the peaceful transition of power. Yet, recent regional by-elections have been marked by violence and allegations of abuse of government resources, raising concerns about freedom and fairness. If confirmed, I will vocally advocate for an open, robust dialogue among political parties, media, and civil society in order to help strengthen Zambia's democratic institutions. In fact, promotion of democracy has been a part of my career from the beginning. In particular, I have worked to identify and promote development of new generations of leaders in the former Soviet Union and in Africa, and if confirmed, this will be among my first priorities in Zambia. A particular emphasis of mine will be supporting young leaders in the public sector, private sector, and civil society through the President's Young African Leader's Initiative.

One of Zambia's greatest challenges is the crippling burden of disease, including HIV/AIDS, tuberculosis, and malaria. More than 12 percent of Zambians are HIV positive. In partnership with Zambia, the United States invests extensively in health assistance programs, including treatment, care, and prevention of HIV transmission as well as building the Zambian Government's own capacity to address the health care needs of their citizens through a substantial PEPFAR program. Since the program's inception in 2004, the United States has contributed roughly \$2.25 billion to Zambia to help arrest and then reverse the pandemic's tide. Today over half a million Zambians are alive because of U.S. HIV/AIDS assistance. If confirmed, I will continue to constructively implement our assistance programs, ensure American taxpayers' funds are spent wisely and effectively, and continue to work in partnership to increase ownership by the Zambian Government of health care for all Zambians.

A Millennium Challenge Corporation Compact with Zambia focused on improving access to clean water and sanitation facilities in the capital city of Lusaka entered into force on November 15, 2013. Throughout the course of compact implementation, Zambia must continue to meet the Millennium Challenge Account indicators—in particular, adherence to standards of democracy and governance and respect for human rights for all Zambians, regardless of race, ethnicity, gender, faith, or sexual orientation as well as vigilant implementation of sound fiscal policy. If confirmed, I will champion respect for rule of law and the liberties guaranteed by Zambia's Constitution.

If confirmed, I will also serve as the United States Special Representative to the region's economic group, the Common Market for Eastern and Southern Africa (COMESA), which is based in Lusaka. I look forward to working with COMESA's leadership to support their efforts to promote intra-African trade, remove trade impediments, and secure favorable conditions for long-term investment, development, and diversification of trade in the COMESA region—all of which can help accelerate growth throughout the region and potentially benefit American companies who do business in the region.

I was most recently the Deputy Chief of Mission at the U.S. Embassy in Kiev, Ukraine, where I partnered with an exceptional Ambassador conducting a full and challenging bilateral relationship in a large and strategically important country. One of our top priorities was the security of the mission, and if confirmed, I promise to make security, especially the safety of our employees, job one.

Prior to Kiev, as Minister Counselor for Economic Affairs at the U.S. Embassy in Moscow, I led our complicated economic relationship with this key trading partner. Throughout my career, I have been dedicated to building economic ties with other countries and increasing American opportunities abroad, while at the same time upholding our fundamental principles, including ensuring the right of individuals to have governments that represent their interests.

Finally, as Deputy Chief of Mission in Harare, I worked tirelessly to support the Zimbabwean people's efforts to have a government that respected the right to freely express their opinions, assemble, and vote without fear of retribution.

I hope my experience in service to our Nation has prepared me for this assignment so that if confirmed, I will be able to successfully represent the American people. My service has convinced me of the importance of American engagement in the world and strengthened my belief that effective partnerships require both respect and candor. If confirmed, I will work with the Zambian Government and the Zambian people to deepen our relationship and promote regional stability. It would be my privilege to lead Embassy Lusaka as we strengthen this partnership.

I thank you for the opportunity to appear before you today. I am happy to address any questions.

Senator COONS. Thank you very much, Mr. Shultz. Thank you to all four of our ambassadorial nominees.

I will start with Ambassador La Lime. First, Angola is a very important player in southern Africa, with a fairly capable military force. Given your previous role in AFRICOM, I would be interested in your thoughts about why our security cooperation with Angola has been relatively limited, what constrains that, and what opportunities there are for deepening and strengthening the military-to-military relationship and how we might encourage or support increased Angolan contributions to AU-led peacekeeping operations such as the one we discussed just before this for CAR?

Ambassador LA LIME. Thank you for the question, Mr. Chairman. Let me start first by addressing the issue of the Gulf of Guinea. Angola has been active in the regional effort in the Gulf of Guinea and has signed on to the code of conduct that was recently agreed to at a meeting in Cameroon this past June. This code of conduct requires the countries of the region to collaborate and to build Coast Guard capacity.

Yes, Angola does have a very strong military. It is my hope that if confirmed I can work with the Angolan Government to use their capacities to develop greater Coast Guard proficiency across the region.

I would also like to see Angola take a more active role in peacekeeping opportunities. I was pleased to see that, with regard to the effort in the CAR, Angola will be using its considerable lift capability to assist there with the transport of vehicles. It is my hope, if confirmed to be Ambassador for Angola, to engage with the Angolan Government to promote stronger mil-to-mil cooperation. I believe that my previous service at the U.S. Africa Command positions me to engage in that dialogue.

Senator COONS. I agree. Thank you.

Ms. Akuetteh, how do you see our potential partnership going forward with Gabon? I was interested in reading the material on the Congo Basin Forest Partnership. I had a great conversation previously with the Gabonese Ambassador about their remarkable biodiversity. They have the largest population of forest elements, for example, in central Africa. You highlight in your opening statement some concerns about the intersection between wildlife poaching and wildlife habitat.

How do we strengthen and sustain that? How do we go about that partnership?

Ms. AKUETTEH. Thank you very much, Senator, for that question. Gabon itself is very, very interested in partnering with the United States, forging a stronger relationship. Through AFRICOM we have been working with them to train their park services to counter narcotics and other illicit trafficking. We are also looking

to work with them through the U.S. Fish and Wildlife Service to do more, as you said, to support conservation, to develop the park service. This will continue to be a priority for me as we go forward. It is something that is very much in the mutual interest of both of our governments.

Senator COONS. Sure. Thank you.

Mr. Andre, as you mentioned in your testimony, Mauritania has, despite a long tradition of poetry, theology, and piety, it has suffered somewhat from domestic radicalization. Some Mauritians have been leaders in AQIM as well as some of its splinter groups and in core al-Qaeda. To what do you attribute the increased radicalization of Mauritians? What steps is the government taking to improve its own security against regional threats, and to what extent is Mauritania being used as a training ground or a safe haven for these regionally significant players?

Mr. ANDRE. Senator, on the last point, the Mauritanian military has been extremely effective, both in absolute terms and relative to others in the region, in defending their borders, especially their border to the east, to prevent infiltration and in policing, controlling, a huge space. We are talking about a million square miles and only 3.3 million people. It is not a sub-Saharan country; it is mostly a Saharan country, 80 percent, so a lot of very remote areas.

But there have not been any attacks by al-Qaeda since 2011. Between 2005 and 2011 there were kidnappings, attacks on foreign missions, murders of aid workers and tourists, and quite a number of attacks that took the lives of the Mauritanian military.

They have the political will, and they began with a good amount of capability and that capability has been greatly enhanced through our partnership. Now, that is on the military side.

There has also been a lot of organization by the government and civil society and religious leaders to amplify the voice of those who are champions of traditional Mauritanian Islam. A lot of it is based on the Sufi brotherhoods that have come down from Morocco and it does emphasize spiritual aspects and it is quite anathema to those who are pushing these foreign-sourced ideas of violent extremism. Now, there are some that have fallen to the siren call of foreign-based radical movements. But there has been a good deal of success in Mauritania of countering those messages.

Senator COONS. That is encouraging.

Mr. Schultz, if I might. You mentioned in your testimony that Zambia has one of the world's highest HIV-AIDS prevalences. It has impressive economic growth, but obviously the humanitarian burden of HIV-AIDS, as well as tuberculosis and malaria, have made them a significant U.S. aid recipient. We have got an effective partnership. What do you see as the trajectory of our health programs in Zambia? We have made significant progress, I think, in Namibia and Botswana and in South Africa in sort of bending the curve and in sharing both the resource obligation and the opportunity. What do you see as the future trajectory for our health partnerships in Zambia and how do we make them more effective and less costly to the United States in the long run?

Mr. SCHULTZ. Mr. Senator, thank you very much for that excellent question. I frankly was a little bit surprised by the total amount of assistance that we have given to Zambia for HIV-AIDS

when I was reading in, and preparing for, this assignment. In fact, my last assignment was Ukraine. The sum total of assistance that we have given to Ukraine in 20 years is \$2 million, less than what we provide to Zambia. So it is an enormous amount of money.

It has gone to fix a huge problem. It has been enormously successful. Thanks to American assistance, the pandemic in Zambia really has truly been stopped, arrested, and it is beginning to decline. My sense is that this is not the time for us to be thinking about stepping back from that. We want to continue to provide assistance, to eradicate HIV–AIDS in Zambia.

That said, the Zambians can and should do more. I think my understanding is that they are in fact trying to do more. Although they have had very significant economic growth over the last 10 years, it is still a relatively poor country. In some parts of Zambia as much as two-thirds of the population lives below the international poverty line. So we have to be realistic about what they can do.

I think my role as Ambassador will be to encourage them to do as much as possible and to continue to urge them to take on responsibility themselves for the health care of Zambians.

Thank you, Senator.

Senator COONS. Thank you.

Senator Flake.

Senator FLAKE. Thank you. I appreciate the testimony.

Ms. La Lime, what can we do that we are not doing right now with regard to Angola or to expand on what we are already doing to better the relationship? It has been a tenuous relationship with the government, let us face it. It has origins back in the cold-war times. But we have helped them on public health issues, I understand, and also land mine abatement. Is that still an issue? Are we still working with them on that issue on land mines?

Ambassador LA LIME. Thank you for the question, Senator. It is important to approach the relationship with Angola, I think, as a partnership of equals and one where the United States is ready to support Angola's efforts to diversify its economy and to increase prosperity for all of its citizens.

It is important to mention, I think, that the Government of Angola has done a lot of planning in terms of its development. They have a national development plan. They have various separate development plans to cover the area of agriculture, infrastructure development, education, and health. I see the United States being there to offer technical assistance that the Government of Angola would request of us in a relationship of equals as an important way to improve the relationship and to continue to build on the work of my predecessor, Ambassador McMullen.

Yes, we have been active in the area of demining in Angola. Our total contribution to that effort stands at about \$103 million. We are continuing there with an investment of \$6 million a year to clear the country of landmines so that the government's priority goal of developing its potential in the area of agriculture can be reached.

I think if we can be seen as a partner of the country, working with Angola's other partners—we are certainly not the only one—

that we can make progress in developing this relationship, and if confirmed I look forward to attempting this.

Senator FLAKE. Thank you. I appreciate that.

Ms. Akuetteh, we have a resolution coming forward with regard to maritime security. You and I spoke about my concerns that we not let the situation in the Gulf of Guinea get anything like it got on the other side of Africa. Are we doing enough there? What should our priority be at this time?

Ms. AKUETTEH. Thank you very much for that question, Senator. I think we are making very important progress with regard to maritime security. The countries of the region certainly recognize that, and I think one of the very encouraging signs is that they themselves are working together as a region, that they are doing intelligence-sharing, that they have signed, as Ambassador La Lime indicated, a code of conduct, where the countries themselves are sharing information, doing training. We also will be doing training in the spring, doing naval exercises. There is more that we can do, particularly as we look at the high seas. I think strengthening the capacity of those countries to protect their own borders is very critical and I am very encouraged by the Secretary of the Navy's visit in August to Gabon and also Sao Tome and Principe and the fact that we are assisting them with an overall maritime security strategy.

Senator FLAKE. I appreciate that. I hope that, if there are things that we ought to be doing in the Senate and the House, that you will let us know.

Ms. AKUETTEH. Yes. I very much look forward to working with you if confirmed.

Senator FLAKE. Thank you.

Mr. Schultz, what is all this on Victoria Falls? Is it in Zimbabwe? You served in Zimbabwe and now Zambia.

Mr. SCHULTZ. Mr. Senator, thank you very much for that controversial question. [Laughter.]

When I served in Zimbabwe, of course it was in Zimbabwe. Now that I am, if confirmed, going to Zambia, it is clearly in Zambia.

Senator FLAKE. You are a diplomat.

With regard to development of Zambia, you mentioned that one of your priorities is to make sure that the United States—that we further our commercial relationships with Zambia. There we do have a competitor, China in particular. They are into mineral extraction in a lot of areas of Africa, including Zambia. What can we do to help U.S. companies feel welcome there? Are these rule of law issues, contracts? Where do we need to work to encourage U.S. cooperation there?

Mr. SCHULTZ. Thank you again. It is a superb question. The thing that actually sticks out to me about Zambia's economic relations is that China is their No. 1 economic partner. The United States is 11th. The Chinese total stock of investment is over \$2 billion. That is also true of South Africa and the United Kingdom. The United States by contrast is \$140 million.

I am not sure that the issue in Zambia is a lack of a welcome for American companies. I think it is a question of getting American companies interested in Zambia and understanding the potential to be successful there. The country has enormous agricultural

potential. It has enormous tourist potential. Victoria Falls is just one small part of that, really. And of course there is mining. It is the world second- or third-biggest exporter of copper.

So the opportunities are there for American businesses to be very successful. I see it as my job, if confirmed as Ambassador, to try to attract American companies to Zambia. And once they come, of course, then it is also my responsibility as Ambassador to protect them, to make sure that they are treated fairly and the same as all the other companies in the country.

Senator FLAKE. Thank you.

Mr. Andre, obviously we are concerned about Al Qaeda in the Maghreb. What is Mauritania's biggest challenge? The extreme poverty we have seen in other areas that lends to people latching onto movements that they would not otherwise latch onto? Is it a function of cooperating on intelligence issues with the government? Where is the biggest challenge that we have in bettering the situation so that the probability is that this will not be a problem going forward?

Mr. ANDRE. Sir, I would say if you look at where the terrorists are drawn from, it is often the middle class, those who actually become the foot soldiers. It is not those who are the most poor. That said, a rising successful country gives less reason for frustrated young people to look for radical solutions outside their own local context.

In fact, Mauritania has been showing greater success. Its economy has been growing at a significant rate for the last few years. We would look to see that continue. We would look to see their democratic institutions, which are fragile, deepen and that people see that they can have a successful life following what have been traditional patterns in Mauritania when it comes to these sorts of behavior.

That said, Mauritania will not advance and become a fully successful modern country if they do not take care of certain very severe issues that are holding them back. First on that list is slavery, the institution of slavery.

Senator FLAKE. How about intelligence? Do we have good intelligence cooperation with their government?

Mr. ANDRE. Yes, the answer to that is yes. In my consultations with both our military colleagues and our intelligence colleagues, they are big fans and are quite happy with the fulsome cooperation that they are receiving.

Senator FLAKE. Thank you, Mr. Chairman.

Thank you all.

Senator COONS. Thank you, Senator Flake.

I would like to welcome Senator Murphy.

Senator MURPHY. Thank you very much, Mr. Chairman.

Welcome to all of you. I just have one question with respect to Angola. I was struck in sort of looking at the materials in preparation for this hearing how substantial U.S. imports from Angola have dropped in recent years, from I guess about 18 billion in 2008 to around 9.6 billion. I do not know all the underlying reasons for that, but I assume some of it is that we have just a decreasing demand for foreign oil, which is going to be the story of this country, hopefully, for a long time into the future.

Meanwhile, we have seen substantial investment in Angola from the Chinese, who, although they are developing their own internal energy resources, that is certainly not enough to quell their interest in developing more avenues to import foreign natural resources.

So I guess my question is, given that trendline is likely to continue, that Angolan oil will probably be less to us and more to the Chinese, and given the sort of fits and starts of our relationship there, how do we compare with the Chinese in terms of the future scope of our partnership and of our investments there? Do you foresee that our interests there will—that our exports coming out of Angola will continue to decline as foreign oil becomes less and less important? And do you perceive that Chinese interests there and exports will continue to increase as they pump more and more money into that sector?

Ambassador LA LIME. Thank you for that question, Senator. The Chinese—the partnership that Angola has with China is a very strong one. Fifteen percent of China's oil comes from Angola; 40 percent of Angola's oil goes to China.

And yes, the levels of trade with us have declined because of the development of our own oil sector. But I do not think that that means that we are on a path toward greater decline if we are able to participate in the diversification of the economy that the Angolan Government is currently so focused on. They had in the past and they hope to develop again huge potential in the agricultural sector. Opportunities for U.S. companies in the area of electricity, natural gas, water.

So I think the issue is more developing a level playing field where American companies can compete with other companies. If that is the case, we bring expertise, technical abilities that the Angolan Government or the Angolan economy needs, has wanted, and has drawn upon in the past. So I believe that it is there.

Senator MURPHY. Just toward that goal of achieving a more level playing field for American businesses—and I apologize if these questions have been asked, but the IMF has a pretty substantial commitment to Angola today. What strings related to transparency does that money come with, and is there an expectation that that IMF commitment will allow for some of the reforms to be made?

Ambassador LA LIME. The IMF had a standby arrangement with Angola. It was concluded in 2012, successfully concluded, and that arrangement has produced very positive results—greater fiscal transparency; better management of budgets; the publication of budgets; the publication of implementation of the execution of budgets. So yes, it has produced good results. I think it is important that we not lose the groundwork, the progress that has been made, and I intend to make that an important area of our collaboration.

We, through the Department of the Treasury, are offering technical assistance to Angola as they develop a national debt strategy. We are also working to build capacity within the Ministry of Finance in connection with that national debt strategy.

I think it is important that we identify other areas for collaboration to ensure that public funds continue to—that the progress made in managing public funds continues to be realized.

Senator MURPHY. Thank you very much.

Thank you, Mr. Chairman.

Senator COONS. Thank you, Senator Murphy.

With the permission of my colleagues, I just wanted to ask one last question of all of you, because I think this has interest for all three of you, which is essentially: How do we grow the U.S. engagement, economic engagement, with all four of the countries to which you will hopefully be posted? Nominee Schultz specifically spoke to the compact with Zambia and the significant investment there by China and the need to help introduce American companies to the potential of Zambia. I think it is a uniquely positive tool for accomplishing that.

In the other three countries, there is significant opportunity for us, whether in oil or in a diversified economy, and we face real challenges, and that the Chinese economic relationship has eclipsed ours significantly, particularly in Mauritania and Angola.

How would each of you in turn suggest that we do a better job as a country in simultaneously advocating for the values that we bring—democracy; transparency; human rights; inclusiveness; diversity—while facing the challenge competitively of an expansive Chinese presence, given that China frankly does not bring a comparably difficult value agenda for our partner countries to embrace. So they do not ask questions about slavery. They do not press on issues of multiparty democracy and journalistic freedom. They do not raise issues that provide challenges in terms of transparency.

So how do we balance those two? How will you balance those two if confirmed to the countries in which you hope to serve? If you would, Ambassador.

Ambassador LA LIME. Thank you for that question. I think it is a central issue in the relationship with Angola and it is one on which I intend to focus, first of all by engaging with the United States company presence in Angola, which is very strong. American companies worked in Angola throughout the civil war and continue there. You have companies that are directly involved in oil, but also the secondary service sector companies, and the companies that are providing services in connection with the development of that oil.

I think it the fact that the Angolans want the United States involved in their economy as they seek to diversify. They need our expertise, they need our skills. But to attract us, to get us there, they need to provide a level playing field.

Well, I hope to maintain that dialogue with the United States companies and with the Government of Angola. We also have a trade and investment framework agreement between the Government of Angola—we hope to have another meeting on this trade and investment framework agreement in Washington in 2012. I see that as an opportunity to continue the dialogue and to raise issues that we may have at that time, with the expectation that we will be able to work on this constructively.

Senator COONS. Good. Thank you.

Ms. Akuetteh.

Ms. AKUETTEH. Thank you very much.

Gabon very much wants U.S. investment, very much wants to diversify its economy, very much wants U.S. expertise. So that is a big plus in terms of moving that agenda forward.

We are working on a bilateral investment treaty with Gabon. What I have said to governments when I was serving as the DCM in Burkina Faso and DCM in Cote d'Ivoire in response to their clamoring for U.S. companies because of the corporate behavior and ethics that we model—that it is very important to have the right investment climate to attract U.S. companies.

President Bongo Ondimba seems to get that. In his emergent Gabon he talks about transparency. He talks about good governance. So it is working with the Gabonese and it is important that they continue on that trajectory. I think there are enormous opportunities, not just in the oil sector, but in other sectors. We have Bechtel for example working in Gabon to assist in the development of their overall infrastructure plan. These are all very, very positive signs. I think I am coming at a wonderful time.

Senator COONS. Mr. Andre, is it a wonderful time in Mauritania?

Mr. ANDRE. It is a wonderful time in Mauritania, and I will cite you some figures. Sir, in 2009 U.S. exports to Mauritania, \$56 million. Now, that, frankly, is not all that much relative to our exports to any number of other countries. By 2012 it was \$290 million. Already this year we have signed \$200 million in contracts with U.S. earthmoving, excavation, mining-related equipment producers, with signs there will be more to come.

So the trend is a positive one. There are some real issues. One of them is Mauritania ranks 173 out of 189 on the World Bank's ease of doing business scale. They have some work to do, and as friends of the Mauritanian people and as partners of the Mauritanian Government we can help point out what they seem to want to do but do not quite know how, to get our advice to be considered.

Frankly, corruption is an issue and that is an issue that is greatly debated within Mauritania. How do you find the balance between our policy prescriptions, our human rights interests? It is a matter of partnering with Mauritians, who see that it is required that they focus on these fronts to advance their own country. We, our friends the Mauritanian people, partner with the government and we find individuals that we can work with on each of these issues.

Finally, on China, about 50 percent of exports are going to China. China is very much involved in the infrastructure market and in the consumer market in Mauritania. However, if there gets to be more competition, one thing we know about Mauritians: They are quite capable of driving a hard bargain. They are quite capable of determining value for themselves. Presented with more choices, they can decide what is quality and what is not. So I am quite confident they can make those choices.

Senator COONS. Thank you, Mr. Andre.

Mr. Schultz, if you might round out the question, and if you could speak to MCC and its role in strengthening economic ties.

Mr. SCHULTZ. Thank you very much for the question. First I would say that the fact that Zambia has a relatively competitive political system imposes a kind of accountability on corruption, basically. In that environment, I actually think that American companies might have an advantage in that they have a reputation for

doing business cleanly. That is actually something that I like to sort of push when, if I am confirmed and when I am in Zambia.

I am not sure if I should say the opportunity or the fortune in some of my previous assignments to work in economies where corruption was an issue. What I found with most of those economies was that one of the key checks on government corruption is actually an independent judiciary. So actually another of my priorities is to work closely with the Zambian judiciary, which we are already doing to a certain extent, to try to create a more accountable system in Zambia.

With respect to the MCC, our particular compact with Zambia is for about \$355 million. It is to build a water sanitation plant in Lusaka, in greater Lusaka. It is obviously a wonderful opportunity for the Zambian people to have clean drinking water. We are not at the stage yet where we are even looking at who we are going to give that contract to. I tend to think it would be very nice if that contract went to an American company, but we have an open bidding process through the MCC.

So I guess my point would be that the real value of the MCC might be as a way to attract the attention of American companies, as I was referring to earlier. I think there is an opportunity there if they choose to take it, and perhaps we can use the MCC as a way to attract their attention and get them to come to Zambia.

I will say this just in closing, that a couple years ago we had the first reverse trade mission to Zambia. We need to do more of this, get more companies to come, get more to see the opportunities that are available, not just in Zambia.

Senator COONS. Thank you very much. I would like to thank the entire panel. I would like to thank, if I got them right: for Ambassador La Lime, your mother I think is here. Your daughter—is it Tekki?—was wonderfully attentive here.

Ambassador Green had joined us previously, and your daughter—is it “Ruhyyah”?

Mr. ANDRE. “Ruhyyah.”

Senator COONS. And Klaudia and Alek, who actually also remained tirelessly attentive to this. As someone whose young children often tire at my own testimony in a variety of contexts, I really appreciate the support and attention of the families.

I am truly grateful to Senator Flake, who has been really accommodating with the time on his schedule, and he has been a wonderful partner in getting this done. I am so grateful for your ongoing willingness to serve our country in distant parts of the world and to continue to work on the very challenging issues we face in diplomacy and throughout the world.

Thank you all very much. We will leave the record of this hearing open until tonight so that you might all be on the business meeting agenda for tomorrow.

With that, this hearing is adjourned.

[Whereupon, at 4:50 p.m., the hearing was adjourned.]